

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB244E

Patron: Watts

Bill Title: Robbery; conforms certain provisions of Code to degrees of robbery offenses.

Bill Summary: The engrossed bill conforms certain provisions of the Code referencing robbery to the degrees of robbery offenses established by Chapter 534 of the Acts of Assembly of 2021, Special Session I. These changes include: (i) limiting to the three higher degrees of robbery certain non-robbery crimes for which committing such crime with the intent to commit a robbery is an element of the offenses, (ii) limiting the types of robbery that are included in the definition of "acts of violence" to the two higher degrees of robbery, (iii) clarifying how robbery offenses will be scored on the sentencing guidelines, (iv) allowing persons convicted of the two lesser degrees of robbery to be eligible for conditional release if they are terminally ill and for enhanced earned sentence credits, (v) allowing persons who are ineligible for parole as a result of being convicted of three of certain enumerated offenses to be eligible for parole if convicted of an offense that would constitute robbery by presenting of firearms, and (vi) limiting the application of the three-strikes law to the two higher degrees of robbery and making persons convicted under the three-strikes law eligible for parole if one of the three convictions resulting in the mandatory life sentence would constitute one of the two lesser degrees of robbery. The bill leaves unchanged the current law making all degrees of robbery predicate criminal acts by adding the two lesser degrees of robbery to the definition of "predicate criminal act" and specifying that the two higher degrees of robbery are included in the definition of "act of violence." The bill requires the changes made to the eligibility for conditional release of terminally ill prisoners and enhanced earned sentence credits to apply retroactively if certain criteria are met. The engrossed bill specifies Code language for robbery with a firearm.

Budget Amendment Necessary: No

Items Impacted: None

Explanation: See below

Fiscal Summary:

The Virginia Parole Board confirmed this bill is not expected to have a fiscal impact on agency operations. The Department of Corrections (DOC) reports needing additional Time Computation Specialists to comply with the provisions of this bill. However, it is uncertain the number of inmates that will be impacted by the provisions of this bill and therefore, the fiscal impact is indeterminate.

Fiscal Analysis:

According to the Parole Board, there is no anticipated fiscal impact as a result of the bill. Any unanticipated costs that may arise from the bill are expected to be covered with existing resources.

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According to DOC, 10 additional staff are anticipated to be needed to identify and verify the records of individuals who have active sentences involving robbery offenses, as the bill requires granular distinction between higher degrees of robbery and lower degrees now eligible for enhanced sentence credits. Per DOC, the main technical challenge is the historical absence of discrete Virginia Crime Codes (VCC) prior to July 1, 2021, that represent the lower two degrees of robbery offenses enacted on July 1, 2021. DOC reports that because the VCC did not differentiate these degrees at the time of original sentencing for certain incarcerated individuals, the Department must conduct case-by-case research to ensure statutory compliance. The process requires staff to manually review historical sentencing orders to determine eligibility for the 15-day credit versus the 4.5-day credit. As such, DOC states that complying with the provisions of this bill would require an estimated 10 additional full-time Time Computation Specialists (Specialists) to manage the required research due to the bill's retroactive mandate. DOC estimates that the cost per full-time Specialist is \$84,595, including salary and benefits. However, it is unknown how many inmates will be impacted by this bill and therefore, the need for additional Time Computation Specialists is indeterminate.

Additionally, DOC states a minimum implementation window of 12-months will be needed for staff to identify the inmate records requiring review, conduct this research and determine which crimes are eligible for the enhanced earned sentence credits.

Other: None