

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: SB296

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Deeds

3. Committee: Judiciary

4. Title: Sentencing proceeding by jury after conviction; relevant mitigating evidence.

5. Summary: This bill amends § 19.2-295.1 (Sentencing proceeding by the jury after conviction) by allowing relevant evidence that may be admissible by the defendant during the sentencing phase by a jury to include information on the circumstances surrounding the offense, the history and background of the defendant, and any other facts in mitigation of the offense.

6. Budget Amendment Necessary: Indeterminate

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: According to the Department of Corrections, this bill would likely increase the number of pre-sentencing investigations (PSIs) that are conducted by probation and parole officers. However, no data is available to determine the number of additional PSIs that would be requested by the court. Therefore, the fiscal impact resulting from the increased workload cannot be estimated at this time. Information from Courts is not available at this time. The fiscal impact statement will be updated as necessary.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, Commonwealth's Attorneys, Courts

10. Technical Amendment Necessary: No

11. Other Comments: None