

Department of Planning and Budget 2001 Fiscal Impact Statement

1. **Bill Number** HB1742

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. **Patron** Griffith

3. **Committee** Passed Both Houses

4. **Title** Expungement of police and court records.

5. **Summary/Purpose:** This legislation proposes to amend § 19.2-392.2 of the Code of Virginia to transfer responsibility for oversight of the expungement of police and court records from the Department of Criminal Justice Services (DCJS) to the Department of State Police (DSP). This action will designate DSP as the agency that will receive from the clerk of the court a copy of the court order that expunges police and court records of a person charged with a crime and who is acquitted, takes a nolle prosequi or is pardoned.

6. **Fiscal Impact Estimates are:** Final. See Item 8.

6a. **Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2000-01	-29,171		GF
2001-02	-29,171		GF

7. **Budget amendment necessary:** No.

8. **Fiscal implications:** This legislation proposes to designate the Department of State Police (DSP) as the agency that will receive from the clerk of the court a copy of the court order that expunges police and court records of a person charged with a crime and who is acquitted, takes a nolle prosequi or is pardoned. Both agencies involved advise that this action will result in a net savings for the Commonwealth as DSP already houses the criminal history records and can process the expungement orders more quickly and efficiently by removing DCJS from the process. No budget action is necessary as these savings have already been accounted for in the budget through the productivity savings process. The agencies agree that the position and associated equipment currently at DCJS will transfer to DSP upon approval.

9. **Specific agency or political subdivisions affected:** The Department of Criminal Justice Services and the Department of State Police.

10. **Technical amendment necessary:** None.

11. **Other comments:** None.

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cc: Secretary of Public Safety

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