

## Department of Planning and Budget 2003 Fiscal Impact Statement

**1. Bill Number** HB2541

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

**2. Patron** McDonnell

**3. Committee** Courts of Justice

**4. Title** Criminal justice record information and crime code references.

**5. Summary/Purpose:** Requires the use of Virginia crime code references on: all charging documents issued by magistrates, all criminal warrants, criminal indictments, informations and presentments, criminal petitions, summonses for jailable misdemeanors, dispositional documents from criminal trials, and all reports to the Central Criminal Records Exchange and to any other criminal offense or offender database maintained by the State Police, the Supreme Court of Virginia, the Department of Corrections, the Department of Juvenile Justice, the Virginia Parole Board and the Department of Criminal Justice Services, effective October 1, 2004. The bill also clarifies that no indictment or other accusation will be invalid if the Virginia crime code references are omitted or stated incorrectly. The Virginia crime code references are maintained by the Virginia Criminal Sentencing Commission.

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

**7. Budget amendment necessary:** Yes.

**8. Fiscal implications:** The proposed legislation is expected to have at least a \$539,000 state impact. Although a federal grant is expected to address some of the costs, not all impacted agencies qualify for grant assistance. The Department of State Police will require programming changes to about 80 Live Scan systems (\$350,000) and to the Computerized Criminal History system (\$45,000). In addition, the Department of Corrections will require approximately \$100,000 and the Supreme Court about \$44,000.

Although unable to quantify the fiscal impact, the Department of Criminal Justice Services states the legislation would have a significant negative impact, particularly at the local level. The State Police agreed that the local criminal justice agencies would be significantly impacted. The State Police projected that for the estimated 100 local systems affected, the cost could easily run up to \$2.0 million.

It should be noted that since the Department of Juvenile Justice (DJJ) currently uses the required crime code references, a minimal impact is expected. DJJ believes that this impact but could be absorbed since only a couple of hours of programming would be required.

**9. Specific agency or political subdivisions affected:** All state and local law enforcement agencies.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 01/28/03/jgc

**Document:** DPB G:\JGC\2003session \BillsEFIS \Submitted\HB2541.doc

cc:Secretary of Public Safety