

Department of Planning and Budget 2005 Fiscal Impact Statement

1. Bill Number SB 898

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 Norment

3. Committee Passed Both Houses

4. Title Defense of electoral board members and general registrar staff; costs.

5. Summary/Purpose:

Requires the Division of Risk Management to select counsel and the Commonwealth to pay the costs and legal fees associated with the defense of electoral board members and general registrar's staff in any legal or equitable action. Under current law, such costs and fees are not supported in actions that do not seek monetary damages.

6. Fiscal Impact Estimates are: Final. See item 8, below.

7. Budget amendment necessary: No.

8. Fiscal implications:

The Department of Treasury's Division of Risk Management currently provides liability insurance for electoral board members, general registrars, and general registrar staff. The annual premiums for this insurance are paid by the Board of Elections. This bill provides that if the Division of Risk Management were to hire a private attorney to represent an electoral board member or general registrar staff person who is a defendant in a civil matter arising out of the performance of his official duties, the Division of Risk Management will pay that attorney's legal fees. Risk Management pays these fees from nongeneral funds in the State Insurance Reserve Trust Fund. This bill codifies current practice.

9. Specific agency or political subdivisions affected: Department of the Treasury's Division of Risk Management, general registrars and their staff, Board of Elections.

10. Technical amendment necessary: No.

11. Other comments: This bill is identical to HB 2383 as enrolled.

Date: 03/14/05/tmw

Document: G:\2005 Session\Legislation\SB898ER.Doc

cc: Secretary of Finance
Secretary of Administration