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SENATE BILL NO. 524

Offered January 8, 2014

Prefiled January 8, 2014

A *BILL to amend the Code of Virginia by adding sections numbered 15.2-2501.1 and 30-135.1, relating to segregating revenues from local fines and penalties.*

Patron—Carrico

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 15.2-2501.1 and 30-135.1 as follows:

§ 15.2-2501.1. Segregation of a portion of local fines and penalties.

A. As used in this section, unless the context requires a different meaning:

"Local fines and penalties" means fines or penalties prescribed under a local ordinance or other local law.

"Segregated funds" means the amount that is equal to one-half of (i) the total of the local fines and penalties collected by the district courts of the county or city in the immediately prior fiscal year less (ii) 65 percent of the total fines and penalties collected by the district courts of the county or city for such prior fiscal year. If such amount is less than \$1, the county or city shall not have segregated funds for the year.

B. Each year by May 1 the Auditor of Public Accounts shall compute the segregated funds for each county and city. The Auditor of Public Accounts shall promptly provide written notice to each county and city of the amount of its segregated funds and shall provide a copy of the notice to the Comptroller.

C. For the fiscal year immediately following the date of the notice, each county or city with segregated funds shall deposit all payments from the Comptroller that represent a return of its local fines and penalties into the local special fund described under subsection D. Deposits by the county or city into the special fund shall continue until the amount deposited during the fiscal year equals the county's or city's segregated funds as reported in the most recent notice provided by the Auditor of Public Accounts.

D. Each county or city receiving notice that it has segregated funds shall create a separate special fund in which its local fines and penalties returned by the Commonwealth shall be deposited as required under subsection C. All local fines and penalties deposited into the special fund may be used by the county or city for any purpose including the funding or financing of the operations or administration, including equipment, of police or sheriff's departments.

§ 30-135.1. Annual computation of local restricted funds.

Each year by May 1 the Auditor of Public Accounts shall compute each county and city's segregated funds as defined under § 15.2-2501.1. The Auditor of Public Accounts shall promptly provide written notice of the amount of such segregated funds to the Comptroller and to the respective county or city.

INTRODUCED

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