

Department of Planning and Budget

2015 Fiscal Impact Statement

1. Bill Number: HB1287

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

2. Patron: Cole

3. Committee: Courts of Justice

4. Title: Forfeiture of property used in connection with commission of crimes; conviction required.

5. Summary: Forfeiture of property used in connection with the commission of crimes; conviction required. Requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been convicted of the crime and has exhausted all appeals.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: The proposed legislation could result in less funding being available to local and state law enforcement agencies from forfeitures while appeals are being exhausted.

Based upon information provided by several Commonwealth's Attorneys offices, asset forfeiture funds is used for witness travel costs, acquisition of case management system, drug screening kits, legal research tools, and equipment and technology aids. Additionally, some of the offices use asset forfeiture funding as the sole source of funding for training and travel purposes.

Additionally, the Commonwealth's Attorneys' Services Council (Council) may indirectly be impacted since the funds are currently used to send prosecutors to training offered by the Council. However, the exact amount of the impact cannot be determined.

According to the Department of State Police, it collected \$270,723 in FY 2013 and \$230,394 in FY 2014 in forfeiture revenue. The funding is used to support law enforcement activities.

9. Specific Agency or Political Subdivisions Affected: Commonwealth's Attorneys Services Council, Department of State Police, state and local law enforcement agencies.

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/26/2015-HB1287.docx (LAJ)