

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB1442

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: Spruill

3. Committee: House Committee

4. Title: Police and court records; fees for expungement from record.

5. Summary: Relieves a person who petitions for the expungement of police and court records related to a crime where the person was acquitted or the charge was otherwise dismissed from paying any fees or costs for filing such petition.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary (see Item #8)

8. Fiscal Implications: This bill provides that no filing fees shall be charged for petitions to expunge court records related to a crime where the person was acquitted or the charge was otherwise dismissed from paying any fees or costs for filing such petition. Currently, filing fees are not charged only when the petition is brought because of mistaken identity.

According to the Office of the Executive Secretary of the Supreme Court (OES) all the cases affected by this bill would be brought in circuit court. In FY14, there were approximately 1,600 expungement cases brought in circuit courts around the Commonwealth. Some of those cases are already exempt from filing fees and other cases would not have resulted in filing fees because the petitioner qualified for *in forma pauperis* status.

Although the number of petitions that would be exempt as a result of this legislation from payment of fees cannot be determined, OES estimates that each exemption would result in roughly \$86 of loss revenue to the general fund.

9. Specific Agency or Political Subdivisions Affected: Circuit courts

10. Technical Amendment Necessary: No

11. Other Comments: None