

Department of Planning and Budget

2015 Fiscal Impact Statement

1. Bill Number: HB1468

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: Marshall, R.G.

3. Committee: Committee for Courts of Justice

4. Title: Civil action for asset forfeiture.

5. Summary: Civil action for asset forfeiture. Creates a cause of action for a defendant who was deprived of property pursuant to asset forfeiture in cases in which there is an acquittal, dismissal of charges, nolle prosequi, or any other final disposition without a conviction. Under such circumstances, the locality or the Commonwealth shall be liable to the defendant for any damages resulting from the forfeiture of such property, plus reasonable attorney fees and costs.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: This bill would establish State and/or locality liability for damages to property forfeited pursuant to Chapter 22.1 (§ 19.2-386.1 et seq.), the Chapter, or any other provision of law. The Office of the Attorney General (OAG) indicates that the bill would not require the OAG to hire more staff; but it may result in the OAG receiving less forfeiture State funds, which would result in the OAG having less funds. The impact is indeterminate because the number of applicable cases is not readily predictable.

9. Specific Agency or Political Subdivisions Affected: Office of the Attorney General,
Localities

10. Technical Amendment Necessary: No

11. Other Comments:

Date: 1/20/15

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