

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB 1785

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Massie

3. Committee: Passed both houses.

4. Title: Requires reporting to local attorneys for the Commonwealth of sexual assaults occurring on college or university property.

5. Summary: Requires that mutual aid agreements between campus police forces and law-enforcement agencies contain provisions requiring either the campus police force or an agency with which it has established a mutual aid agreement to notify the local attorney for the Commonwealth within 48 hours of beginning an investigation that involves a felony criminal sexual assault that has occurred on campus or on noncampus or public property affiliated with the institution.

Also requires public and private institutions of higher education without campus police forces to enter into memoranda of understanding with local law enforcement agencies or State Police to require those law enforcement agencies to notify the local attorney for the Commonwealth within 48 hours of beginning such investigation that involves a felony criminal sexual assault that has occurred on campus or on noncampus or public property affiliated with the institution.

6. Budget Amendment Necessary: No.

7. No Fiscal Impact: Final. See item 8.

8. Fiscal Implications: There is no anticipated fiscal impact from this legislation. Institutions of higher education are currently required to establish mutual aid agreements with one or more law enforcement agencies. The proposed legislation would add the requirement that those agreements include a provision that requires one of the agreeing law enforcement agencies to report felony criminal sexual assault investigations to local attorneys for the Commonwealth within 48 hours of the inception of such investigation, which can be done at no additional cost to the Commonwealth.

9. Specific Agency or Political Subdivisions Affected: Virginia's institutions of higher education, Commonwealth's attorneys, Virginia public safety agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: The Senate substitute removes the requirement in the House substitute that the investigation into the felony criminal assault be victim-initiated or a threat to the campus community in order to trigger the reporting requirement.