

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB 1785-H2

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

2. Patron: Massie

3. Committee: Courts of Justice

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 such investigation if: (i) the investigation involves a felony criminal sexual assault, and (ii) is victim-initiated or the crime is considered to be a threat to other students and employees.

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 if: (i) the investigation involves a felony criminal sexual assault, and (ii) is victim-initiated or the crime is considered to be a threat to other students and employees.

6. Budget Amendment Necessary: No.

7. No Fiscal Impact: Preliminary. 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 substitute version adds the requirement 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. The substitute also requires institutions of higher education that don't have campus police forces to establish mutual aid agreements with law enforcement agencies and for those agreements to contain the requirement to report criminal sexual assault investigations to Commonwealth's attorneys if the investigation is victim-initiated or a threat to the campus community