

## Department of Planning and Budget 2015 Fiscal Impact Statement

**1. Bill Number: SB 1195**

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

**2. Patron: Norment**

**3. Committee: Militia, Police and Public Safety**

**4. Title: Special conservators of the peace**

**5. Summary:**

State law authorizes a circuit court judge, upon application of a sheriff or chief of police, a corporation, business owner, or museum to appoint special conservators of the peace. Special conservators of the peace have all the powers, functions, duties, responsibilities, and authority of law enforcement officers within the geographical limitations specified in the court order or on the real property of the applicant. The court may limit or prohibit the carrying of any weapons by a special conservator of the peace while within the scope of his employment.

The proposed legislation would amend the provisions regarding training requirements, applications, and appointment of special conservators of the peace. The primary provisions would:

1. Require that applicants for special conservators of the peace receive training at a criminal justice training academy or private security training school certified by the Department of Criminal Justice Services (DCJS). Currently, there is no specific requirement of where training must be obtained.
2. Raise the minimum training requirement for unarmed special conservators of the peace from 24 hours to 98 hours and, for armed special conservators of the peace, from 40 hours to 130 hours.
3. Authorize regional training academies to provide training for persons seeking appointment as special conservators of the peace.
4. Prohibit any person required to register with the Sex Offender and Crimes Against Minors Registry from being eligible for registration or appointment as a special conservator of the peace.
5. Require any special conservator of the peace to report if he is arrested for any misdemeanor or felony offense to DCJS and the chief law-enforcement of the locality in which he has an appointment within 15 days of the arrest.
6. Require that applicants submit, with the application, results of a background investigation and a temporary letter of qualification from the Department of Criminal Justice Services specifying that the applicant has complied with minimum training

requirements, submitted fingerprints for a criminal history records check, and submitted the results of a background check, and

7. Require that all persons seeking appointment or reappointment as a special conservator of the peace register with the Department of Criminal Justice Services.

The legislation would give any special conservator of the peace appointed under a court order in effect on July 1, 2015, 24 months to comply with the new training standards established by the legislation.

**6. Budget Amendment Necessary:** Yes. Item 242.

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

**Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2016	\$78,875	General
2017	\$74,279	General
2018	\$0	
2019	\$0	
2020	\$0	
2021	\$0	

**8. Fiscal Implications:**

The proposed legislation would require all applicants seeking appointment or reappointment as a special conservator of the peace to register with the Department of Criminal Justice Services and for the department to issue temporary letters of qualification for applicants. It is not expected that the provisions of the proposed legislation would have a fiscal impact on the agency.

There is one state agency that does utilize special conservators of the peace and thus would be affected by the legislation: the Virginia Museum of Fine Arts (VMFA). The museum employs 39 special conservators of the peace. It currently provides 65 hours of training to its officers. To provide an additional 65 hours of training over the next 24 months to comply with the legislation's required minimum of 130 hours, VMFA's additional costs would include the actual expense of the training as well as additional overtime pay to cover shifts while currently employed officers were in training. The total estimated additional cost is shown in the table in Item 7. After FY 2017, all currently employed officers would be trained, but any newly hired officers would be subject to the additional training hours required by the legislation. Additional resources might be needed in the future to cover these costs, but it is not feasible to determine the amount at this time.

**9. Specific Agency or Political Subdivisions Affected:**

Department of Criminal Justice Services  
Circuit courts  
Virginia Museum of Fine Arts

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.

**Date:** 1/30/2015

**Document:** G:\LEGIS\fis-15\sb1195e2.docx Dick Hall-Sizemore