

18103183D

HOUSE BILL NO. 381

Offered January 10, 2018

Prefiled January 5, 2018

A *BILL to amend and reenact § 17.1-279.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 17.1-275.13, relating to creation of Virginia State Police Electronic Summons System Fund.*

Patron—Krizek

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-279.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 17.1-275.13 as follows:

§ 17.1-275.13. Additional fee for Virginia State Police Electronic Summons System Fund.

A. In addition to the fees provided for by §§ 16.1-69.48:1, 16.1-69.48:1.01, 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.5, 17.1-275.7, 17.1-275.8, 17.1-275.9, 17.1-275.10, and 17.1-275.11, a fee of \$5 shall be assessed as court costs in each criminal or traffic case in which the Virginia State Police issued the summons, ticket, or citation; executed the warrant; or made the arrest. All fees collected pursuant to this section shall be deposited into the state treasury and credited to the Virginia State Police Electronic Summons System Fund.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia State Police Electronic Summons System Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All fees collected under this section, moneys appropriated directly to the Fund, and any other grants or gifts made to the Fund shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of funding software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Superintendent of the Virginia State Police or his designee.

§ 17.1-279.1. Additional assessment for electronic summons system.

Any county, city, or town, through its governing body, may assess an additional sum not in excess of \$5 as part of the costs in each criminal or traffic case in the district or circuit courts located where such cases are brought in which the defendant is charged with a violation of any statute or ordinance, which violation in the case of towns arose within the town, and where the defendant is charged with a violation of any such statute or ordinance by a local law-enforcement agency. The imposition of such assessment shall be by ordinance of the governing body, which may provide for different sums in circuit courts and district courts. The assessment shall be collected by the clerk of the court in which the action is filed, remitted to the treasurer of the appropriate county, city, or town, and held by such treasurer subject to disbursements by the governing body to a local law-enforcement agency solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. The imposition of a town assessment shall replace any county fee that would otherwise apply.

INTRODUCED

HB381