

## **Department of Planning and Budget**

### **2018 Fiscal Impact Statement**

**1. Bill Number: HB 151**

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: Fowler**

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

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

**5. Summary:**

Current law authorizes the appointment of special conservators of the peace (SCOP), for political subdivisions or corporate entities, by circuit courts and sets out the procedures to be used in applying for the appointment, criteria to be used by the courts in making the appointments, and the powers and duties of these officers. Furthermore, the Department of Criminal Justice Services is directed to establish minimum training standards and establish registration requirements for them.

The proposed legislation would make the following changes in the provisions governing special conservators of the peace:

- Powers and duties—Limits a SCOP's powers and duties to those for which he/she is qualified as specified in the application for appointment. Currently, the court order may authorize an SCOP to have the same powers and duties as other SCOPs.
- Jurisdiction—Makes following changes in jurisdiction of an SCOP:
  - Requires, rather than allows, court order to specify geographical limitations of jurisdiction, which are restricted to the political subdivision, or real property of the corporate entity, making the application.
  - Clarifies that powers and duties extend to any political subdivision contiguous to property boundaries of corporate entity only when SCOP is engaged in exercise of his/her duties.
  - Requires, rather than allows, court order to specify geographical limitation of distance beyond which a SCOP may not make an arrest resulting from a close pursuit.
- Identification—Prohibits any SCOP from using the word "police" on any uniform, badge, credential, or vehicle. Except for any SCOP employed by a state agency, the legislation also prohibits the use of the seal of the Commonwealth on any uniform, badge, credential, or vehicle. Currently, the law allows the court order to permit such uses upon request and upon the showing of good cause.

**6. Budget Amendment Necessary: None.**

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

**8. Fiscal Implications:**

It is not expected that the proposal will have a fiscal impact.

**9. Specific Agency or Political Subdivisions Affected:** Department of Criminal Justice Services

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

**11. Other Comments:** None.