

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB1461

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: Scott

3. Committee: House Committee for Courts of Justice

4. Title: Appeal from bail, bond, or recognizance order

5. Summary: The proposed legislation provides that a court may stay the execution of a bail order, in all bail decisions, for as long as reasonably practicable, but in no event more than three days, for a party to obtain an expedited appeal before the next higher court. Under current law, there is no maximum time for the stay unless the bail decision was governed by the bail presumption provisions.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary (see Item 8 below).

8. Fiscal Implications: The Department of Criminal Justice Services (DCJS) reports that since the proposed legislation makes a modification to the process through which courts make bail decisions, there may be an impact on the number of placements into pretrial services. However, the extent of such an impact is unknown and the cost is indeterminable.

The bill is not expected to have a fiscal impact on state agencies.

9. Specific Agency or Political Subdivisions Affected: The Department of Criminal Justice Services; the Office of the Executive Secretary of the Supreme Court of Virginia; Indigent Defense Commission; and Commonwealth's Attorneys; local courts; local jails.

10. Technical Amendment Necessary: No

11. Other Comments: None.