

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: SB261 ER

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|------------------------|---------------------------------------|-------------------------------------|--|
| House of Origin | <input type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| Second House | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute | <input checked="" type="checkbox"/> Enrolled |

2. Patron: Chafin, A. B.

3. Committee: Passed both houses

4. Title: Accounts filed by fiduciaries and reports filed by guardians; perjury; penalty.

5. Summary: The bill amends statutes related to conservators, guardians of minor's estates, committees, trustees and receivers, and reports filed by guardians. The bill provides that any account filed with the commissioner must be signed under oath by the fiduciary making such filing. If a fiduciary makes a false entry or statement in such a filing, he shall be subject to a civil penalty of not more than \$500. The penalty must be collected by the attorney for the Commonwealth or the county or city attorney, and the proceeds are to be deposited into the general fund.

It also provides that guardians must certify by signing under oath that the information contained in the report is true and correct. However, if a guardian makes a false entry or statement in the annual report, he or she would be subject to a civil penalty of not more than \$500. The penalty is to be collected by the attorney for the Commonwealth or the county or city attorney, and the proceeds are to be deposited into the general fund.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: The bill requires these penalties to be collected by the Commonwealth Attorney or the city or county attorney and deposited into the general fund. No data is currently available to determine the number of persons that will be required to pay this fine under the proposed legislation and the revenue to be deposited into the general fund.

9. Specific Agency or Political Subdivisions Affected: Courts, Commonwealth Attorney, city or county attorneys.

10. Technical Amendment Necessary: No

11. Other Comments: The bill incorporates SB308.