

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: HB5104

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Price

3. Committee: House Committee on Public Safety

4. Title: Minimum Qualifications for law-enforcement officer, etc.; disclosure of information

5. Summary: The proposed legislation provides that any sheriff or chief of police, the director or chief executive of any agency or department employing deputy sheriffs or law-enforcement officers, and the Director of the Department of Criminal Justice Services shall disclose to a prospective law-enforcement or jail employer any information (i) related to an arrest or prosecution of a former police officer, deputy sheriff, or jail officer, including expunged information; (ii) related to a civil suit regarding a former police officer's, deputy sheriff's, or jail officer's employment or performance of his duties; (iii) obtained during the course of any internal investigation related to a former police officer's, deputy sheriff's, or jail officer's alleged criminal conduct, use of excessive force, or other official misconduct in violation of the state professional standards of conduct; and (iv) related to a former police officer, deputy sheriff, or jail officer's job performance that led to dismissal, demotion, suspension, or transfer. The proposed legislation further provides that no police officer, deputy sheriff, or jail officer may be employed by another law-enforcement agency or jail until the requested information is received from all prior employing agencies in the Commonwealth. The proposed legislation also provides immunity from civil liability for the aforementioned parties who disclose information consistent with the proposed legislation, under specified conditions.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: Currently, DCJS reports that it does not collect any information on arrests for current or former police officers, deputy sheriffs, or jail officers, including expunged information; information related to a civil lawsuit; information of internal investigations, information related to job performance that led to dismissal, demotion, suspension, or transfer. Therefore, DCJS does not expect a fiscal impact as a result of the proposed legislation.

The legislation is not expected to have a fiscal impact on the Virginia State Police and Capital Police. The fiscal impact on other state and the local enforcement agencies and the Sheriff's offices cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: The Department of Criminal Justice Services, local and state law-enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.