

Department of Planning and Budget
2021 Special Session I - Fiscal Impact Statement

1. Bill Number: SB1329 ER

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: Mason

3. Committee: Passed both houses

4. Title: Promises to appear after the issuance of a summons.

5. Summary: Under certain circumstances, current law requires someone who has been detained for certain misdemeanor offenses to provide a written promise to appear at a trial or hearing. Current law also requires an arresting officer to take anyone who refuses to give a written promise to appear under the provisions of § 46.2-936, which governs release on summons and promise to appear, to promptly take him before a magistrate or other issuing authority having jurisdiction and proceed in accordance with the provisions of § 19.2-82 (Procedure upon arrest without warrant). The enrolled bill eliminates the requirement for an arrestee to be taken before a magistrate or other issuing officer and establishes that if any person refuses to give such written promise to appear as required, the arresting officer must give such person notice of the time and place of the hearing, note such person's refusal to give his written promise to appear on the summons, and forthwith release him from custody.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Final. See line 8 below.

8. Fiscal Implications: This bill is not expected to impact state law-enforcement agencies.

9. Specific Agency or Political Subdivisions Affected: Law-enforcement agencies

10. Technical Amendment Necessary: No

11. Other Comments: None