

Department of Planning and Budget 2001 Fiscal Impact Statement

1. **Bill Number** HB1742

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. **Patron** Griffith

3. **Committee** Militia and Police

4. **Title** Expungement of police and court records.

5. **Summary/Purpose:** This legislation proposes to amend § 19.2-392.2 of the Code of Virginia to transfer responsibility for oversight of the expungement of police and court records from the Department of Criminal Justice Services to the Department of State Police. This action will designate the Department of State Police as the agency that will receive from the clerk of the court a copy of the court order that expunges police and court records of a person charged with a crime and who is acquitted, takes a nolle prosequi or is pardoned.

6. **Fiscal Impact Estimates are:** Tentative. See Item 8.

6a. **Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2000-01	-29,171	1	GF
2001-02	-29,171	1	GF

7. **Budget amendment necessary:** No.

8. **Fiscal implications:** This legislation proposes to designate the Department of State Police (DSP) as the agency that will receive from the clerk of the court a copy of the court order that expunges police and court records of a person charged with a crime and who is acquitted, takes a nolle prosequi or is pardoned. According to the agencies involved, this action will result in a net savings for the Commonwealth as the DSP already houses the criminal history records and can therefore process the expungement orders more quickly and efficiently by removing the Department of Criminal Justice Services from the process. Both agencies are in agreement with the legislation. No budget action is necessary as these savings have already been accounted for in the budget through the productivity savings process.

9. **Specific agency or political subdivisions affected:** The Department of Criminal Justice Services and the Department of State Police.

10. **Technical amendment necessary:** None.

11. **Other comments:** None.

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cc: Secretary of Public Safety

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