

Department of Planning and Budget 2007 Fiscal Impact Statement

1. Bill Number HB2644

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron Caputo

3. Committee House Committee for Courts of Justice

4. Title Fixed misdemeanor and fixed felony fees.

5. Summary/Purpose: Increases the felony and misdemeanor fixed fees by \$3. The increase will go to the Virginia Crime Victim-Witness Fund, which is a non-reverting fund administered by the Department of Criminal Justice Services to support victim and witness programs.

6. Fiscal Impact Estimates are: Preliminary (see Item 8)

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2007-08	\$2,700,000	0	NGF
2008-09	\$2,754,000	0	NGF
2009-10	\$2,809,080	0	NGF
2010-11	\$2,865,262	0	NGF
2011-12	\$2,922,567	0	NGF
2012-13	\$2,981,018	0	NGF

6b. Revenue Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2007-08	\$4,300,000	0	NGF
2008-09	\$4,300,000	0	NGF
2009-10	\$4,300,000	0	NGF
2010-11	\$4,300,000	0	NGF
2011-12	\$4,300,000	0	NGF
2012-13	\$4,300,000	0	NGF

7. Budget amendment necessary: Yes, Item 391

8. Fiscal implications: The "Virginia Victim/Witness Fund" (see §19.2-11.3) was established in 1995. Fund revenue is generated through a \$3 assessment collected by the clerks of court from convicted offenders. Over the last five years, on average, the Victim/Witness Fund collected about \$4.2 million annually from convicted offenders. During the same time period, annual expenditures from the Fund to support services for crime victims through local Victim/Witness Programs have averaged \$6.2 million per year. During the Victim/Witness Fund startup years, the program had fund balances to carryover into the next fiscal year as localities became more informed about meeting the requirements to receive funding. Consequently, there

are now 102 local grant funded Victim/Witness Programs and four statewide victim assistance programs. Local programs are primarily located in prosecutors' offices and law enforcement agencies. In FY2006, these programs provided direct services to 64,315 victims. Without an infusion of financial resources in FY08, the Department of Criminal Justice Services will be forced to reduce grant awards to Victim/Witness Programs and it is estimated that 15,140 crime victims will not receive program services annually. If revenue and expenditure levels maintain at FY07 levels, the estimated shortfall will be approximately \$2.7 million in FY08 alone.

The Victim/Witness Fund currently provides 63 percent of grant funds supporting Victim/Witness Programs. The remaining 37 percent comes from federal Victims of Crime Act (VOCA) grant funds administered by DCJS. For most programs, DCJS grants are the sole source of funding.

Should no additional revenue be provided in FY2008 for this program, grant awards are currently scheduled to be reduced by 10 percent in July 2007. Even with this reduction in awards, and the current allocation in the budget of \$500,000 in general fund support in FY 2008, the Victim/Witness Fund currently is still projected to have a deficit in FY2008 of \$1,648,530. For each dollar increase in the fee provided in this legislation, approximately \$1,433,333 of revenue would be generated for Victim/Witness programs.

Item 6 above assumes Federal VOCA grant fund revenue will average \$3.4 million annually. It is further assumed that by increasing the assessment on convicted offenders from \$3 to \$6, annual collections would double from the current average of \$4.2 million to approximately \$8.4 million. For the proposed \$3 increase outlined in this legislation, an estimated \$4.3 million of revenue will be generated annually. Although all of this funding will not be needed immediately to eliminate the deficit, the additional funding will allow continued growth in the program as well as cover inflationary cost increases.

9. Specific agency or political subdivisions affected: Department of Criminal Justice Services, localities statewide

10. Technical amendment necessary: no

11. Other comments: None

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cc: Secretary of Public Safety