

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB880

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|-----------------|--------------|--------------|-------------|------------|-------------|-----------|
| House of Origin | <u> X </u> | Introduced | <u> </u> | Substitute | <u> </u> | Engrossed |
| Second House | <u> </u> | In Committee | <u> </u> | Substitute | <u> </u> | Enrolled |

2. Patron: G. Loupassi

3. Committee: House Courts of Justice

4. Title: **Waiver of interest on costs & fines during incarceration**

5. Summary: Provides that interest on fines and costs shall not accrue while a person is incarcerated. Currently, fines and costs do not accrue during incarceration but only with respect to the case resulting in the incarceration. The bill also allows a person to move for and a circuit court to grant a waiver on any interest accrued during his incarceration prior to July 1, 2008.

6. Fiscal Impact Estimates: Unavailable (see Item 8)

7. Budget Amendment Necessary: No

8. Fiscal Implications: According to the Supreme Court of Virginia, there would be a revenue impact to the general fund from the suspension of interest accruing on fines and costs during a period of incarceration. Less interest due the Commonwealth would accrue than otherwise would have, some portion of which would have been collected. However, it is not known what this impact would be. Currently, an incarcerated defendant would have to contact each individual court to arrange for the suspension of interest on the fines and costs imposed by that court. If that is the manner in which this legislation would be expected to operate, then the current case management and fiscal management systems can accommodate this legislation. However, if the expectation is that the court's management systems have to match defendants across jurisdictions so that suspension of interest in all cases can be arranged through contacting one court only, the expenditure impact to program the courts case management and financial management systems to accomplish this could be substantial.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 1/28/2008 dpb

Document: G:\FIS 2008\HB880.Doc Reginald Thompson