

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB1843

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: Griffith

3. Committee: Passed Both Houses

4. Title: Civil commitment of sexually violent predators; changes including access to sealed records, etc.

5. Summary: Makes a number of changes, including requiring that the court records for certain sexual misdemeanors be retained for 50 years rather than 10 years; allowing access to juvenile court and records of the Department of Juvenile Justice; addressing challenges to filing defects, including defendants under the Commitment Review Committee; allowing access to sealed records; extending from 60 to 90 days the time for a probable cause hearing and allowing the respondent to waive his right to such hearing; setting a standard for the court to find probable cause; and extending from 90 to 120 the number of days after the probable cause hearing for conduct of the trial.

6. Fiscal Impact Estimates: Final

7. Budget Amendment Necessary: No

8. Fiscal Implications: The enrolled bill strikes changes in the introduced bill that would have included revisions to §37.2-903.B removes “bodily harm” from the Static-99 threshold which would increase the number of prisoners eligible for Commitment Review Committee (CRC) evaluation. The elimination of “bodily harm” was expected to have some minimal costs to the Virginia Center for Behavioral Rehabilitation, however the enrolled bill will have no fiscal impact.

The anticipated costs to state and local correctional facilities cannot be accurately projected with the data available, but are expected to be minimal.

9. Specific Agency or Political Subdivisions Affected: DMHMRSAS, DOC, OAG

10. Technical Amendment Necessary: No

Date: 3/10/2009

Document: G:\FY2009\FIS\MHMR General\HB1843.Doc

cc: Secretary of Health and Human Resources