

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB 2468

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Morgan

3. Committee: House Committee for Courts of Justice

4. Title: Expungement of Marijuana charges

5. Summary: Provides that any person who has been convicted of a charge of possession of marijuana or had a charge of possession of marijuana discharged and dismissed in accordance with the provisions of § 18.2-251, more than 10 years prior to his petition for expungement, may file a petition setting forth the relevant facts and requesting expungement of the police records and the court records relating to the charge. The bill adds that the Department of Criminal Justice Services shall maintain a record of the expungement to be made available to any attorney for the Commonwealth upon request.

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

7. Budget Amendment Necessary: No

8. Fiscal Implications: Currently, the Department of Criminal Justice Services (DCJS) does not handle expungements; therefore, the agency would have to make systems modifications and dedicate staff to implement the requirements of this bill which would result in a fiscal impact. The fiscal impact of this proposed legislation is presently indeterminate.

All expungements are presently handled by the Virginia State Police (VSP) and inasmuch they would most likely be in a better position to carryout the requirements of this legislation.

9. Specific Agency or Political Subdivisions Affected: DCJS, VSP

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 1/28/2009 dpb

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