

## **Department of Planning and Budget 2009 Fiscal Impact Statement**

**1. Bill Number:** SB1381

House of Origin    ☐ Introduced    ☐ Substitute    ☒ Engrossed

Second House    ☒ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:**    Stolle

**3. Committee:** House Committee for Courts of Justice

**4. Title:**    **Writs of actual innocence; requirements**

**5. Summary:** Extends the ability to petition for a writ of actual innocence based on previously unknown or untested biological evidence to individuals who are not incarcerated.

**6. Fiscal Impact Estimates:** Tentative (see Item 8)

**7. Budget Amendment Necessary:** No

**8. Fiscal Implications:** This legislation would extend the right of someone who is not incarcerated to petition the court for writ of actual innocence based on untested or unknown biological evidence. According to the Supreme Court of Virginia (SCV), it possible this bill could lead to an increase in the number of petitions for writs of innocence; however, it is expected that any increase would be limited and could be absorbed with current resources.

**9. Specific Agency or Political Subdivisions Affected:** Courts

**10. Technical Amendment Necessary:** None

**11. Other Comments:** Same as HB2312

**Date:** 2/20/2009    dpb

**Document:** G:\2009 FIS - COMPLETED\SB1381.Doc    Reginald Thompson

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