

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB1216

House of Origin X Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. Patron: McClellan

3. Committee: House Committee for Courts of Justice

4. Title: **Public defenders; supplemental compensation**

5. Summary: Provides that supplemental compensation for public defenders provided by a locality shall go directly to the employees rather than going to the Indigent Defense Commission for distribution.

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

7. Budget Amendment Necessary: No

8. Fiscal Implications: During the 2007 General Assembly session, legislation was introduced that allowed localities to supplement the compensation of public defenders. The bill provided for any funds a locality elected to supplement would be paid to the Virginia Indigent Defense Commission (VIDC), and then, in accordance with VIDC policies, distributed to the individual public defender office employees. Although no locality has elected to provide supplemental payments to date, VIDC has responded to several inquiries from a locality that is contemplating the provision.

This legislation removes VIDC from the supplemental payment processing cycle thus eliminating the potential fiscal impact on the Commonwealth. If a locality elected to make a supplemental payment to a public defender office employee, the employee would receive a separate check directly from the locality.

9. Specific Agency or Political Subdivisions Affected: VIDC, localities

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 1/25/2010 dpb

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