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HOUSE BILL NO. 2067

Offered January 12, 2011

Prefiled January 11, 2011

A BILL to amend and reenact § 17.1-275.5 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 16.1-69.48:1.02, relating to criminal proceedings; costs of law-enforcement agency.

Patron—Bell, Robert B.

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-275.5 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 16.1-69.48:1.02, as follows:

§ 16.1-69.48:1.02. Additional costs assessed for convictions.

Upon conviction of any crime, including violation of a local ordinance punished as a crime, all costs associated with the investigative costs of any law-enforcement agency as determined by the court upon motion of such agency, shall be assessed against the defendant. Any amounts assessed under this section and recovered from the defendant shall be paid to the law-enforcement agency submitting a claim for such to the court.

§ 17.1-275.5. Amounts to be added; judgment in favor of the Commonwealth.

A. The clerk shall assess, in addition to the fees provided for by §§ 17.1-275.1 through 17.1-275.4, 17.1-275.7, 17.1-275.8, or § 17.1-275.9, the following costs:

- 1. Any amount paid by the Commonwealth for legal representation of the defendant;
- 2. Any amount paid for trial transcripts;
- 3. Extradition costs;
- 4. Costs of psychiatric evaluation;
- 5. Costs taxed against the defendant as appellant under Rule 5A:30 of the Rules of the Supreme Court;
- 6. Any fee for a returned check or disallowed credit card charge assessed pursuant to subdivision A 28 of § 17.1-275;
- 7. Any jury costs;
- 8. Any assessment made pursuant to subdivision A 10 of § 17.1-275;
- 9. Any fees prescribed in §§ 18.2-268.8 and 46.2-341.26:8;
- 10. Any court costs related to an ignition interlock device;
- 11. Any fee for testing for HIV;
- 12. Any fee for processing an individual admitted to jail as prescribed in § 15.2-1613.1;
- 13. Any fee for courthouse security personnel as prescribed in § 53.1-120;
- 14. Any fee for a DNA sample as prescribed in § 19.2-310.2;
- 15. Reimbursement to the Commonwealth of medical fees as prescribed in § 19.2-165.1;
- 16. Any fee for a local criminal justice training academy as prescribed in § 9.1-106;
- 17. Any fee prescribed by §§ 16.1-69.48:1.01 and 17.1-275.11; and
- 18. Any expenses charged pursuant to subsection B or F of § 19.2-187.1; and

19. Upon conviction, all costs associated with the investigative costs of any law-enforcement agency as determined by the court upon motion of such agency.

B. The total amount of assessments described in subsection A of this section, including the fees provided for by §§ 17.1-275.1 through 17.1-275.4, 17.1-275.7, 17.1-275.8, or § 17.1-275.9, and no other, shall be forthwith docketed by the clerk as a judgment against the defendant in favor of the Commonwealth. Any amounts assessed under subdivision A 19 and recovered from the defendant shall be paid to the law-enforcement agency submitting a claim for such costs to the court.

INTRODUCED

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