

# Department of Planning and Budget

## 2011 Fiscal Impact Statement

1. **Bill Number:** HB2450

**House of Origin**    ☐ Introduced    ☐ Substitute    ☒ Engrossed  
**Second House**    ☒ In Committee    ☐ Substitute    ☐ Enrolled

2. **Patron:** Gilbert

3. **Committee:** Senate Courts of Justice

4. **Title:** Establishment of pretrial services agencies.

5. **Summary:** Removes the mandatory requirement that any city, county or combination thereof that is required to submit a community-based corrections plan also establish a pretrial services agency, but preserves the permissive authority for any city, county or combination thereof to establish a pretrial services agency.

6. **Budget Amendment Necessary:** No

7. **Fiscal Impact Estimates:** Indeterminate (see Item 8)

8. **Fiscal Implications:** This legislation eliminates the requirement that localities that are required to submit a community-based corrections plan pursuant to § 53.1-82.1 would also have to establish a pretrial services agency. Pretrial services agencies provide information and investigative services to judicial officers (judges and magistrates) to help them decide whether persons charged with certain offenses and awaiting trial need to be held in jail or can be released to their communities, subject to supervision. There are currently 30 pretrial services agencies in Virginia serving 82 of 134 localities.

Currently, localities wishing to obtain state funds for a portion of costs of renovating or building a local or regional jail must submit a community-based corrections plan to the Department of Corrections (DOC) for review by the Department of Criminal Justice Services (DCJS). DOC regulations for community-based corrections plan are that it must include requirement for plan for pre-trial services. Going forward, if localities are not required to have pretrial services in order to obtain state funding for jail projects, their inmate population projections are likely to be higher. With higher inmate population forecasts, the number of additional beds needed for the renovation or new construction project will be higher. A larger number of beds will likely increase the cost of the facility, and the state's potential share of the costs will be higher. It is not possible, though, to quantify the potential fiscal impact of this legislation.

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

10. **Technical Amendment Necessary:** No

11. **Other Comments:** None

**Date:** February 14, 2011

**Document:** G:\2011 FIS\HB2450.Doc    Reginald Thompson  
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