

## Department of Planning and Budget 2013 Fiscal Impact Statement

**1. Bill Number:** HB1925

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Ware, O.

**3. Committee:** Courts of Justice

**4. Title:** Expungement of nonviolent misdemeanor convictions.

**5. Summary:** Provides that any person who has been convicted of only one non-violent misdemeanor offense that is not a violation of § 18.2-266 (DUI) or an offense for which registration is required under § 9.1-902 (sex offender registry offenses), when more than five years have passed from the date of conviction, all terms and conditions of probation have been satisfied and completed, and all fines, costs, and restitution have been paid, may file a petition with the proper district court in the jurisdiction where the conviction was obtained for expungement of the conviction.

**6. Budget Amendment Necessary:** Yes; Item 416.

**7. Fiscal Impact Estimates:** Preliminary; See Item 8 below.

**8. Fiscal Implications:** According to the Department of State Police, the proposal requires the agency to develop multiple tables to replicate information that is being expunged from the Computerized Criminal History (CCH) system, as well as changes to a significant number of programs. The estimated fiscal impact is \$1.4 million in the first year and \$724,653 each year thereafter.

The State Police identified a first year cost of \$664,320 for system design and other project costs. In addition, the department has witnessed a significant increase in the number of expungement requests since 2005 (from 1,192 to 3,445) without getting additional staffing. The department believes that an additional 3,219,747 misdemeanor convictions would potentially be eligible for expungement under this proposal. State Police also believes that with more employers relying on background checks in their search for suitable employees, requests for expungement will be increasing. Based on this, the department seeks 13 additional positions and \$745,453 the first year and \$724,653 the second year.

Any potential fiscal impact of this proposal on the courts has yet to be reported by the Supreme Court of Virginia.

**9. Specific Agency or Political Subdivisions Affected:** Department of State Police, attorneys for the Commonwealth, courts statewide.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** Similar to HB 1675 and SB 845.

**Date:** January 16, 2013

**Document:** G:\2013\JGC\EFIS\Posted\HB1925.DOC