

## Department of Planning and Budget 2016 Fiscal Impact Statement

**1. Bill Number: HB 605**

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

**2. Patron: Bell, Robert B.**

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

**4. Title:** Restitution and extension of probation

**5. Summary:**

Under current law, an offender placed on probation may be required to make at least partial restitution or reparation to the victims of his or her offense, provide support of his or her spouse and others for whose support he or she may be legally responsible, or required to perform community service. For any person convicted of a violation of any provision of Title 18.2 (the criminal laws of the Commonwealth), which resulted in property damage or loss, the offender may not have his or her sentence suspended or placed on probation unless he or she is required to make at least partial restitution for the property damage or loss or be required to perform community service.

The proposed legislation would make the failure of the offender to make such required restitution or reparation, make the required support payments, or perform the required community service result in the automatic extension of the probation period until all payments are made and community service performed or until the offender is released from the obligations by court order.

The legislation also would provide that, if the court and the attorney for the Commonwealth do not object, an offender shall not be kept under supervised probation solely because of his or her failure to make the ordered restitution payments.

**6. Budget Amendment Necessary:** No.

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

**8. Fiscal Implications:** It is not anticipated that the proposed legislation would have any fiscal impact on state or local probation agencies.

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

District and circuit courts  
Department of Corrections  
Local probation offices

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.

**Date:** 1/18/2016

**Document:** G:\LEGIS\fis-16\hb605.docx Dick Hall-Sizemore