

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB635

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

2. Patron: Loupassi**3. Committee:** House Committee for Courts of Justice**4. Title:** Certificate of relief from collateral criminal consequences

5. Summary: Creates a procedure whereby a person who has been convicted of certain crimes can petition the court for a certificate of relief that will remove collateral consequences of the conviction. Persons cannot petition for relief for violent crimes nor for crimes for which registration on the sex offender registry is required, must wait 12 months after the completion of all terms of sentencing and probation, and must not have any pending criminal charges. The court may limit the effect of the certificate of relief and it can be revoked if the person is subsequently convicted of a crime.

6. Budget Amendment Necessary: Yes, Item 422**7. Fiscal Impact Estimates:** Preliminary (see Item #8)

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court of Virginia (OES), this bill is not expected to have a material fiscal impact on its agency operations.

According to the Virginia State Police (VSP), the bill would require the Central Criminal Records Exchange (CCRE) to receive fingerprints and the petition from the petitioner, run the petitioner's criminal record and forward the criminal record and fingerprints under seal to the appropriate court. Due to the anticipated workload increase from this largely manual process, VSP believes it will be necessary to hire two Office Services Specialists. The fiscal impact for salary, benefits and equipment for the two positions in the first year (FY 2017) is expected to total \$130,798. The second year impact (FY 2018) is expected to be \$127,598.

9. Specific Agency or Political Subdivisions Affected: Courts, Virginia State Police**10. Technical Amendment Necessary:** No**11. Other Comments:** None