

## **Department of Planning and Budget**

### **2017 Fiscal Impact Statement**

**1. Bill Number:** SB1459

<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:** Edwards

**3. Committee:** Finance

**4. Title:** Discharge of treasurer; legal pleadings.

**5. Summary:** Provides that the attorney for a locality shall prepare and file any pleadings necessary in a proceeding to discharge the treasurer. If the locality does not have an attorney, or the attorney is unable to perform this task, the circuit court shall assign legal counsel. The cost of such counsel shall be paid for in the same manner as counsel hired to defend a constitutional officer who is a defendant in a civil case.

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

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

**8. Fiscal Implications:** According to the Compensation Board, it is not known at this time the frequency of such actions or the potential cost upon occurrence, but it is not expected to be frequent. The Board stated that under the proposal, if the City/County Attorney was to prepare and file pleadings for the discharge of the treasurer as proposed in the bill, there would be no fiscal impact. However, if the City/County Attorney was unable to prepare filings and the court was to assign counsel, the Compensation Board would be responsible to reimburse 50 percent of the costs incurred, and the locality would be responsible for the remaining 50 percent. The Board clarified that if the pleadings were to be filed on behalf of the Treasurer in the City of Richmond or City of Lynchburg, the Board would be responsible for 100 percent of the cost; if the pleadings were to be filed on behalf of the Treasurer in the City of Danville or City of Williamsburg, the Board would be responsible for two thirds of the cost.

**9. Specific Agency or Political Subdivisions Affected:** State Compensation Board, City/County Attorneys statewide.

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

**11. Other Comments:** None.