

## **Department of Planning and Budget**

### **2018 Fiscal Impact Statement**

**1. Bill Number: HB 151**

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

**2. Patron: Fowler**

**3. Committee: Passed both houses**

**4. Title: Special conservators of the peace**

**5. Summary:**

Current law authorizes the appointment of special conservators of the peace (SCOP), for political subdivisions or corporate entities, by circuit courts and sets out the procedures to be used in applying for the appointment, criteria to be used by the courts in making the appointments, and the powers and duties of these officers. Furthermore, the Department of Criminal Justice Services is directed to establish minimum training standards and establish registration requirements for them.

The proposed legislation would make the following changes in the provisions governing special conservators of the peace:

- Powers and duties—Limits a SCOP's powers and duties to those for which he/she is qualified by training as established by the Criminal Justice Services Board. Currently, the court order may authorize an SCOP to have the same powers and duties as other SCOPs.
- Jurisdiction—Makes following changes in jurisdiction of an SCOP:
  - Requires, rather than allows, court order to specify geographical limitations of jurisdiction, which are restricted to the political subdivision, or real property of the corporate entity, making the application.
  - Clarifies that powers and duties extend to any political subdivision contiguous to property boundaries of corporate entity only when SCOP is engaged in exercise of his/her duties, except that the court may specify additional jurisdictions in which SCOPs employed by the Shenandoah Valley Regional Airport Commission or the Richmond Metropolitan Transportation Authority may exercise their duties.
  - Requires, rather than allows, court order to specify geographical limitation of distance beyond which a SCOP may not make an arrest resulting from a close pursuit.
- Identification—Generally prohibits SCOPs from using the word "police" on any uniform, badge, credential, or vehicle. Except for any SCOP employed by a state agency and other exceptions as noted below, the legislation also prohibits the use of the seal of the Commonwealth on any uniform, badge, credential, or vehicle. Currently, the law allows the court order to permit such uses upon request and upon the showing of good cause. An exception to these prohibitions would be for SCOPs employed by the Shenandoah

Valley Regional Airport Commission and the Richmond Metropolitan Transportation Authority, provided they meet all the minimum compulsory training requirements for law-enforcement officers. The proposed legislation would authorize courts to allow those officers to use the word “police” or the seal of the Commonwealth on their badges, uniforms, or vehicles. Those SCOPs employed by those organizations on July 1, 2018 who do not meet the compulsory law-enforcement training requirements would be allowed to continue using the word “police” and the seal of the Commonwealth until July 1, 2020.

**6. Budget Amendment Necessary:** None.

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

**8. Fiscal Implications:**

It is not expected that the proposal will have a fiscal impact on any state agency.

**9. Specific Agency or Political Subdivisions Affected:** Department of Criminal Justice Services

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

**11. Other Comments:** None.