

## Department of Planning and Budget

### 2019 Fiscal Impact Statement

**1. Bill Number:** HB2453

<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:** Adams, L.R.

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

**4. Title:** Bail and recognizances; magistrate's checklist; surety's basis for request for capias.

**5. Summary:** Requires a magistrate who conducts a bail hearing for a person arrested on a warrant or capias for aailable offense to describe, on a form provided by the Executive Secretary of the Supreme Court, the information considered in conducting such hearing, including (i) the nature and circumstances of the offense, (ii) whether a firearm was used in the offense, (iii) the financial resources of the accused, (iv) the character and appearance of the accused, and (v) the criminal history of the accused. The bill requires such magistrate to transmit such completed form to the circuit court or general district before which the warrant or capias is returnable. The bill also requires a surety on a bond in recognizance to state the basis for which a capias is being requested from the court on the surety's application for the capias. This bill is a recommendation of the Virginia State Crime Commission.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Preliminary (see Item 8)

**8. Fiscal Implications:** According to the Office of the Executive Secretary of the Supreme Court ("OES"), the proposed bill is not expected to have a material fiscal impact on either the magistrate or court system.

**9. Specific Agency or Political Subdivisions Affected:** Magistrates and courts

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None