

Department of Planning and Budget
2020 Special Session I - Fiscal Impact Statement

1. Bill Number: HB5134

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

3. Committee: House Courts of Justice

4. Title: Law-enforcement officers; duty to intervene and report unlawful use of force.

5. Summary: Provides that any law enforcement officer who witnesses another officer engaging or attempting to engage in the unlawful use of force against another person shall intervene, when such intervention is feasible, to end the unlawful use or attempted unlawful use of force to prevent the further unlawful use of force. An officer shall also render aid, as circumstances objectively permit, to any person injured as a result of such unlawful use of force. Any officer who intervenes pursuant to this section or who witnesses another officer engaging or attempting to engage in the unlawful use of force against another person shall report such intervention or unlawful use of force in accordance with the officer's employing agency's policies and procedures for reporting misconduct committed by an officer. No employing agency shall retaliate, threaten to retaliate, or take or threaten to take any disciplinary action against an officer who intervenes or makes a report pursuant to this section. In addition to any other penalty authorized by law, a violation of this section is grounds for disciplinary action against the officer, including dismissal, demotion, suspension, or transfer of the officer.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See below (Item #8)

8. Fiscal Implications: The proposed legislation is not expected to have a fiscal impact on the Division of Capitol Police, the Virginia Alcoholic Beverage Control Authority (ABC), the Department of Juvenile Justice (DJJ), the Office of the State Inspector General (OSIG), or the Department of State Police (VSP).

Information from other state agencies with law enforcement personnel is not available at this time. The fiscal impact statement will be updated if information is made available as necessary.

The impact on local law enforcement agencies cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, Department of Motor Vehicles, Department of Corrections, Virginia State Lottery, Department of Juvenile Justice, Virginia Alcoholic Beverage Control Authority, Department

of Conservation and Recreation, College and University Police Departments, Division of Capitol Police, Office of the State Inspector General, Department of Wildlife Resources, Marine Resources Commission, and local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.