

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: HB499

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Mullin

3. Committee: House Committee for Courts of Justice

4. Title: Use and disposition of notes and tapes

5. Summary: The proposed bill provides that a court reporter must be provided for a regular grand jury to record, manually or electronically, and transcribe all oral testimony taken before a regular grand jury, but such reporter cannot be present during any stage of its deliberations. The bill provides that the foreman must cause the notes, tapes, and transcriptions of the court reporter to be sealed, the container dated, and delivered to the court and that the court must cause the sealed container to be kept safely. The bill provides for certain circumstances in which the court may authorize disclosure of such sealed notes, tapes, and transcriptions.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Indeterminate (see Item #8)

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court (OES), it is assumed that the court reporter that is required by this bill will be compensated from the Criminal Fund, in the same manner as the special grand juries. (Va. Code § 19.2-215) The number of grand jury sessions varies among the courts, but the number of times a grand jury convenes is not indicative of the projected cost, because the expense of the court reporter is a function of the actual length of the testimony to be memorialized and those periods of time are not tracked by the courts. Therefore, the fiscal impact on the Criminal Fund cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: Circuit Courts

10. Technical Amendment Necessary: No

11. Other Comments: None