

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: HB862

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Lopez

3. Committee: House Committee on Counties, Cities and Towns

4. Title: Supplementing compensation of public defender

5. Summary: The proposed bill requires the governing body of any county or city that elects to supplement the compensation of the attorney for the Commonwealth, or any of his deputies or employees, above the salary of any such attorney for the Commonwealth, deputy, or employee, to proportionally supplement the compensation of the public defender, or any of his deputies or employees, commensurate with the compensation of the attorney for the Commonwealth, or any of his deputies or employees.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: The proposed bill would require localities that provide local compensation supplements to its Commonwealth Attorney, or any of his deputies or employees, to also provide commensurate local compensation supplements to its public defender, or any of his deputies or employees.

The bill does not create a fiscal impact on state agencies. However, there could be a fiscal impact on some localities. Currently, there are 28 public defender offices around the Commonwealth. Out of the 28, eleven offices operate in localities that currently provide a local compensation supplement to public defenders. Since most public defender offices serve multiple localities, the local fiscal impact is split between localities being served. Under the provisions of this bill, as many as 17 additional public defender offices could be eligible for a locally funded compensation supplement and several others may be required to adjust the supplement they currently pay to make it commensurate with the local compensation supplement paid to its Commonwealth Attorney office personnel.

9. Specific Agency or Political Subdivisions Affected: Localities

10. Technical Amendment Necessary: No

11. Other Comments: None