

## **Department of Planning and Budget**

### **2022 Fiscal Impact Statement**

**1. Bill Number:** SB623

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

**2. Patron:** Lucas

**3. Committee:** Senate Committee on the Judiciary

**4. Title:** Authority of Governor to grant relief from fines and penalties

**5. Summary:** The proposed bill eliminates provisions of the Code requiring a person seeking the Governor's relief from fines and penalties to first file a petition with the circuit court for such relief.

Currently, when a party against whom a fine or penalty has been imposed and judgment rendered has died leaving a spouse or children surviving, the Governor may remit such fine or penalty upon the certificate of the judge of the circuit court of the county or city where such fine or penalty was imposed and judgment rendered, that to enforce the same against the estate, real or personal, of the decedent, would impose hardship upon the spouse or children. The bill removes this requirement.

Additionally, whenever an application is made to the Governor by or on behalf of any person who wishes to be relieved, in whole or in part, of any such fine or penalty, the petition, answer, certificate of facts, and opinion of the court provided for in §§19.2-364 (petition for relief), 19.2-365 (duties of attorney for the Commonwealth upon filing such petition) and 19.2-366 (duty of court in which petition filed), must be authenticated by the clerk of the court, and must accompany the application. The proposed legislation removes this requirement.

Finally, under the proposed legislation, the Governor would no longer be required to communicate to the General Assembly at each session the particulars of every case of fine or penalty remitted and the reasons for such action.

The bill repeals §19.2-364 through §19.2-367 of the Code of Virginia.

**6. Budget Amendment Necessary:** No

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

**8. Fiscal Implications:** It is possible the proposed bill could result in the filing of fewer petitions to the circuit court. However, the reduction in potential circuit court filings and the resulting fiscal impact are both expected to be minimal. The Department of Motor Vehicles reports the bill does not create a material fiscal impact on its operations.

**9. Specific Agency or Political Subdivisions Affected:** Circuit courts and Department of Motor Vehicles

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None