

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: SB674E

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Hanger

3. Committee: Senate Committee on the Judiciary

4. Title: Pretrial Intervention and Diversion Program

5. Summary: The substitute bill authorizes the attorney for the Commonwealth for each judicial circuit of the Commonwealth to create and administer a Pretrial Intervention and Diversion Program for the purpose of providing an alternative to prosecuting offenders in the criminal justice system. The bill provides that entry into such program shall be at the discretion of the attorney for the Commonwealth based upon written guidelines and that no attorney for the Commonwealth shall accept any offender into such program for an offense for which punishment includes a mandatory minimum sentence of imprisonment. The bill permits the attorney for the Commonwealth to assess and collect from each offender who enters the Program a fee not to exceed \$300 for the administration of the Program, which fee shall be waived upon affirmation under oath of indigency.

6. Budget Amendment Necessary: Indeterminate

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

8. Fiscal Implications: The substitute bill does not create a material fiscal impact on state agencies. The bill permits the attorney for the Commonwealth to assess and collect from each offender who enters the Program a fee not to exceed \$300 for the administration of the Program. Any fee collected under this subsection must be paid into the general fund of the locality in which the Program is administered. Program costs are expected to be covered by the administration of fees (not to exceed \$300) which are assessed to program participants. The substitute bill provides that fees must be waived upon affirmation under oath of indigency. It is not known how many participants will be unable to cover the costs of the Program.

9. Specific Agency or Political Subdivisions Affected: Commonwealth's Attorneys'

10. Technical Amendment Necessary: No

11. Other Comments: None