

## **Department of Planning and Budget**

### **2023 Fiscal Impact Statement**

**1. Bill Number:** HB1956

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Runion

**3. Committee:** House Committee for Courts of Justice

**4. Title:** Training standards for magistrates

**5. Summary:** The proposed bill would require every magistrate to observe a law-enforcement officer who is employed by a law-enforcement agency within the magistrate's jurisdiction while such officer is engaged in his official duties for a minimum of six hours annually and submit proof of observation by June 30 to the Office of the Executive Secretary of the Supreme Court.

**6. Budget Amendment Necessary:** Yes, Item 48

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

**8. Fiscal Implications:** According to the Office of the Executive Secretary of the Supreme Court (OES), there are 400 funded magistrate positions in the Commonwealth. The proposed bill would require each magistrate to spend 6 hours observing a law enforcement officer while that officer performs his/her official duties. During those hours that magistrates are observing law-enforcement officers, they will be unable to perform their magisterial duties. OES indicates that in districts where staffing needs are most pressing, it may be required to bring in off duty magistrates to cover official magistrate duties or magistrates may be required to complete their observance of a law-enforcement officer outside of their scheduled forty-hour work week. Both scenarios would result in overtime being accrued.

OES estimates that 50 percent of magistrates currently work in understaffed districts that would require some overtime expenditures to fulfill the requirements of this legislation. The normal average hourly rate for a magistrate is \$29.91 so it is estimated that the annual fiscal impact would be \$89,730 (2400\*\$29.91)

If the intent of this legislation is to include the 37 chief magistrates and supervisors, there would be an additional fiscal impact of \$9,251. The average hourly rate for chief magistrates and supervisors is \$41.67.

**9. Specific Agency or Political Subdivisions Affected:** Magistrate System, law enforcement agencies.

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None