

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB2037ER

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Sewell

3. Committee: Passed Both Houses

4. Title: Supplementing compensation of public defender

5. Summary: The bill amends § 19.2-163.01:1 (Supplementing compensation of public defender) to permit the governing body of any county or city that elects to supplement the compensation of the public defender or any of his deputies to pay such funds directly to the Indigent Defense Commission (VIDC) or to the employees. The bill provides that the VIDC must provide the supplementing funds directly to employees in combination with the compensation fixed by the executive director.

6. Budget Amendment Necessary: Indeterminate

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

8. Fiscal Implications: Currently, supplemental compensation provided by any county or city is paid directly to the employees of the VIDC with notice to the Commission of any amount provided.

The bill permits the locality to provide the local supplement directly to the VIDC for distribution to the employee or the supplement can continue to be paid directly to the employee with notice to VIDC of any amount provided. At this time, it is unknown how many localities would elect to have VIDC distribute supplemental funding on their behalf. Therefore, the impact to the operations of the VIDC cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: Virginia Indigent Defense Commission

10. Technical Amendment Necessary: No

11. Other Comments: None