

## **Department of Planning and Budget**

### **2023 Fiscal Impact Statement**

**1. Bill Number:** SB1067

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

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

**2. Patron:** Surovell

**3. Committee:** Judiciary

**4. Title:** Substantial risk orders; substantial risk factors and considerations.

**5. Summary:** This bill sets out various factors that a judge or magistrate must consider for the purpose of determining probable cause prior to issuing an emergency substantial risk order or a substantial risk order. The bill also outlines various factors that a judge or magistrate may, but is not required to, consider for the purpose of issuing an emergency substantial risk order or a substantial risk order.

Under current law, no petition may be filed unless an independent investigation has been conducted by law enforcement that determines that grounds for the petition exist. This bill requires that such independent investigation must also include any information available to law enforcement as it pertains to the factors added by this bill.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Preliminary. See Item 8 below.

**8. Fiscal Implications:** This bill is not expected to have a fiscal impact on Virginia State Police, courts and the Criminal Fund, or Commonwealth Attorneys. The fiscal impact this bill may have on the Department of Behavioral Health and Developmental Services is not known at this time. If additional information becomes available, this impact statement will be revised. The impact on local law enforcement agencies is unknown at this time.

**9. Specific Agency or Political Subdivisions Affected:** Law enforcement agencies, courts, Department of Behavioral Health and Developmental Services

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None