

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: SB1159

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Boysko

3. Committee: Senate Committee on the Judiciary

4. Title: Time period to commence collection activity

5. Summary: The bill amends § 19.2-349 to extend the time period, upon agreement by the attorney for the Commonwealth and the clerk of the circuit court or district court, that collection activity may be commenced for unsatisfied fines, costs, forfeitures, penalties, and restitution to 180 days following either (i) the date of the final judgment imposing such costs or (ii) if the final judgment includes an active term of incarceration, the date of the defendant's release from such incarceration, whichever is later. Under current law, collection activity may be commenced 90 days after judgment.

6. Budget Amendment Necessary: Yes, Item 42

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

8. Fiscal Implications: According to the Office of the Executive of the Supreme Court ("OES"), enhancements will need to be made to the court system's financial management system (FMS) to implement the provisions of this bill. The FMS will need to be programmed to halt the sending of cases to collections while a defendant is still incarcerated if there is an agreement between the Commonwealth's Attorney and the clerk and also continue operating under current operating standards in courts where no such agreement exists. Programming the FMS to allow for two simultaneous standards that can be opted into is estimated to require 4,140 hours at a developer's average rate of pay of \$95 per hour. The estimated cost for programming of the necessary system enhancements is \$393,281.

9. Specific Agency or Political Subdivisions Affected: Supreme Court

10. Technical Amendment Necessary: No

11. Other Comments: None