

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: SB1413S1

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Norment

3. Committee: Judiciary

4. Title: Motion for the disclosure of expunged records in a civil case.

5. Summary: Provides that an action for damages against a locality or a law enforcement officer arising out of or relating to charges where a petition for the expungement of police and court records for such charges is pending or where the records have been expunged, any party to such action may file a motion in the court in which the action is pending, or in the court where the expungement petition was or is pending, for the release of the expunged records for use in the civil litigation, and, upon motion and for good cause shown, such records shall be ordered to be released. Penalties set forth in the Code relating to the disclosure of such expunged records shall not apply.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: The Department of State Police does not anticipate a fiscal impact on agency operations as a result of the provisions of this proposed legislation. It is foreseeable that this legislation could result in an additional number of petitions or motions being filed, but it is not expected to have a material fiscal impact on the court system. Any potential fiscal impact on the Courts is unknown at this time. Any potential fiscal impact on local law enforcement agencies is indeterminate at this time.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, Courts, Local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.