

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: HB1114S1

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Simon

3. Committee: Courts of Justice

4. Title: Failure to appear; penalties.

5. Summary: The substitute bill provides that for § 18.2-456 (Cases in which courts and judges may punish summarily for contempt), the provisions of subdivision A 6 (failure to appear before court or judicial officer for felony or misdemeanor offenses) will not apply to any person who is (i) incarcerated in any correctional facility or (ii) (a) detained in any state or federal facility or (b) in the custody of a law-enforcement officer at the time such person is required to appear before any court or judicial officer.

The substitute bill also provides that the provisions of § 19.2-128 (Penalties for failure to appear), would not apply to any person who is (i) incarcerated in any correctional facility or (ii) (a) detained in any state or federal facility or (b) in the custody of a law-enforcement officer at the time such person is required to appear before any court or judicial officer.

Currently, it is a Class 6 felony to willfully fail to appear before any court for a person charged with or convicted of a felony offense. It is a Class 1 misdemeanor for any persons charged with or convicted of a misdemeanor offense.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: There is not sufficient information to determine any potential decrease in local or state responsible offenders as a result of the bill, therefore, the fiscal impact cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: Courts, Department of Corrections, state and local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.