

## Department of Planning and Budget 2024 Session Fiscal Impact Statement

**1. Bill Number:** HB1228

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

**2. Patron:** Hope

**3. Committee:** Courts of Justice

**4. Title:** Virginia Criminal Sentencing Commission; court records; online access to case management systems.

**5. Summary:** This bill provides that if a clerk of the circuit court provides secure remote access to nonconfidential court records, the clerk must, by a signed agreement with the Director of the Virginia Criminal Sentencing Commission (the Commission), provide secure remote access to such records to staff of the Commission.

The bill clarifies that a clerk is not prohibited from providing online access to a case management system to any person designated by law to prepare sentencing guidelines. The bill also requires the clerk of each circuit court to provide online access to a case management system that may include abstracts of case filings and proceedings in the circuit courts to the Commission for purposes related to the preparation of sentencing guidelines. The bill requires the Commission to ensure the confidentiality and security of the information obtained through such online access and prohibits the Commission from publishing personal or case identifying information.

**6. Budget Amendment Necessary:** Yes, Item 31

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

**8. Fiscal Implications:** This bill requires the Office of the Executive Secretary of the Supreme Court (OES) to provide the Virginia Criminal Sentencing Commission (the Commission) with online access to all case management systems that may include abstracts of case filings and proceedings in the circuit courts. The OES reports that it maintains the Circuit Court Case Management system, which is used by 118 of 120 circuit court clerks. The bill also allows a clerk of a general district court to grant any person designated by law to prepare sentencing guidelines to provide access to their case management system. The OES maintains the General District Court Case Management System which is used by all general district court clerks.

The OES reports that system enhancements will be necessary to provide online, read-only access to nonconfidential information in the case management systems for circuit courts and general district courts. The OES estimates the one-time cost for the necessary system enhancements to meet the requirement of this bill at \$136,844 in FY 2025.

This bill is a recommendation of the Virginia Criminal Sentencing Commission. According to the Commission, this bill is not expected to have a fiscal impact on agency operations.

**9. Specific Agency or Political Subdivisions Affected:** Office of the Executive Secretary of the Supreme Court, Virginia Criminal Sentencing Commission

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None