

Department of Planning and Budget 2024 Fiscal Impact Statement

1. Bill Number: HB125 ER

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

2. Patron: Watts

3. Committee: Passed both Houses

4. Title: Special justices and independent evaluator fees; emergency custody and voluntary civil admissions.

5. Summary: This bill increases the fee that a special justice or judge receives for presiding over emergency custody and voluntary and involuntary civil admissions from \$86.25 to \$120 for each commitment hearing and from \$43.25 to \$70 for each certification hearing.

The bill also increases the fee that an independent evaluator (physician, psychologist or other mental health professional, or any interpreter, appointed pursuant to § 37.2-802 for persons who are deaf, who is not regularly employed by the Commonwealth) receives if required to serve as a witness or an interpreter from \$75 to \$120 for each commitment hearing and from \$43.25 to \$70 for each certification hearing.

6. Budget Amendment Necessary: Yes, Items 34, 35, and 36

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

8. Fiscal Implications: This bill increases the fees paid to persons presiding over specified mental health hearings, as well as for persons serving as independent evaluators or interpreters during specified hearings. These payments are made from the Involuntary Mental Commitment Fund.

For persons presiding over such specified hearings, the current fee of \$86.25 is raised to \$120 (39% increase), and the certification hearing fee of \$43.25 is raised to \$70 (62% increase). According to the Office of the Executive Secretary of the Supreme Court (OES), assuming payments remain consistent with the three most recent years that were less affected by the COVID-19 pandemic (fiscal years 2019, 2022, and 2023), the estimated average annual payments would increase from \$2,126,202 to \$2,988,430, which is a difference of \$862,228.

For persons serving as independent evaluators or interpreters during specified hearings the fee of \$75 is raised to \$120 (60% increase) and the fee of \$43.25 is raised to \$70 (62% increase). According to the OES, applying these increases to fiscal years 2019, 2022, and

2023, the estimated average annual payments would increase from \$2,024,415 to \$3,229,305, which is a difference of \$1,204,890.

The total estimated annual impact on the Involuntary Mental Commitment Fund based on the provisions of this legislation is \$2,067,118.

9. Specific Agency or Political Subdivisions Affected: General District Courts, Juvenile & Domestic Relations District Courts, and Combined District Courts

10. Technical Amendment Necessary: No

11. Other Comments: None