

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: HB612 E

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

2. Patron: Price

3. Committee: Appropriations

4. Title: Fines, costs, forfeitures, penalties, and restitution; collection fees; assessment.

5. Summary: The engrossed version of the bill extends the criteria for delinquent payments of fines, costs, forfeitures, and penalties from 90 days to 180 days. The bill provides that for any defendant sentenced to an active term of incarceration and ordered to pay any fine, cost, forfeiture, or penalty related to the charge that such defendant is incarcerated for, or any other charge for which such defendant was sentenced on the same day, the court must enter such defendant into a deferred payment agreement, as defined in § 19.2-354.1 (Deferred or installment payment agreements). The due date for such deferred payment agreement cannot be set earlier than the defendant's scheduled release from incarceration on the charge for which such defendant received the longest period of active incarceration.

The bill has a delayed effective date of January 1, 2025.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: The Office of the Executive Secretary of the Supreme Court reports that the number defendants who defaulted on payment requirements after 90 days but would have been able to make payment prior to 180 days is not known. Therefore, is not possible to estimate the impact this bill would have on delinquent collections.

According to the OES, this bill would require modifications to accounting systems to change the timeframe before which a case is marked as being in default, and to mark the due date according to the defendant's release date on the longest period of incarceration. The estimated one-time cost for the system enhancements is \$74,000. It is expected that the agency could absorb this cost.

According to the Department of Taxation, this bill is not expected to have an fiscal impact on agency operation and is not expected to have an impact on state tax revenue.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: No

11. Other Comments: None