



**Department of Planning and Budget**  
**2025 General Assembly Session**  
**State Fiscal Impact Statement**

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**General Fund Expenditure Impact:**

<u>Agency</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
DCJS	\$0	\$644,750	\$394,750	\$394,750	\$394,750	\$394,750
<b>TOTAL</b>	<b>\$0</b>	<b>\$644,750</b>	<b>\$394,750</b>	<b>\$394,750</b>	<b>\$394,750</b>	<b>\$394,750</b>

**Position Impact:**

<u>Agency</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
DCJS	0	3	3	3	3	3
<b>TOTAL</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>

**Fiscal Analysis:** According to DCJS, the agency currently lacks staff with the necessary expertise in the use of AI in law enforcement to create the standards outlined in this bill and would require additional personnel. DCJS would need to hire individuals who are subject matter experts in AI usage in law enforcement to create reasonable policies and procedures as outlined in the bill. Work groups and panels of subject matter experts would likely need to be convened to examine and evaluate how specific technology can be applied in the field of law enforcement. Without having those subject matter experts already in place, it is not possible to determine what the new required training for law enforcement would look like and how extensive the requirements will be. This would likely be an ongoing responsibility requiring periodic additional funding because of the constantly evolving nature of AI and its applications in law enforcement and government in general.

The development and implementation of model policies and compulsory minimum training standards for the custodial and noncustodial interrogation of adults and juveniles would pose many of the same concerns and considerations as noted above in relation to staffing, work group development, and implementation timetables. DCJS anticipates a one-time cost of \$250,000 in order to gather relevant subject matter experts in these diverse and highly technical fields.

DCJS anticipates the need for up to two FTE to implement the parameters of the bill related to the use of AI by law enforcement officers. One FTE would need to be a specialist in AI and its applicability in law enforcement. One FTE would be responsible for developing model policies and lesson plans, as well as keeping the model policies and lesson plans updated as required. Each FTE would receive an estimated annual salary of \$85,000 and fringe benefits of \$38,250, for a total cost of \$123,250 each.

DCJS also anticipates the need for one FTE to implement the parameters of the bill related to interrogation practices. This FTE would be responsible for developing model policies and lesson plans, as well as keeping the model policies and lesson plans updated as required. The FTE would receive an estimated annual salary of \$85,000 and fringe benefits of \$38,250, for a total cost of \$123,250.

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Finally, DCJS anticipates \$25,000 GF in annual expenses for ongoing training, conferences, and other opportunities for agency AI staff to keep abreast of this evolving and changing use of technology.

The proposed bill creates two new regulatory responsibilities for the Forensic Science Board (FSB), which is staffed by DFS. The FSB is tasked with adopting regulations for the administration of the proposed § 15.2-1723.3 (Crime laboratories operated by local law-enforcement agencies; accreditation) (lines 666-693) and § 23.1-815.2 (Crime laboratories operated by campus police departments; accreditation) (lines 694-721). In these two analogous proposed sections, DFS or the FSB would be required to approve any equipment or any instrument that is intended to be used in forensic laboratory analysis prior to purchase by a local law-enforcement agency or campus police department. In the definitions, the provision of latent print examinations and digital device examinations are excluded, which are the forensic examinations most often performed by law enforcement agencies in Virginia.

According to DFS, the responsibility of evaluating instruments described in the bill would be done by scientists, who would then be taken away from casework. An evaluation of the current instrumental presumptive drug tests is estimated to take between one and three weeks. Since it is not known how many requests will be received and for what types of equipment, it is not possible to determine the fiscal impact. DFS does not anticipate needing more than one additional staff member based on its understanding at this time, although with the delayed implementation date, DFS could survey law enforcement to better determine what may need to be assessed and provide an updated, more accurate, fiscal estimate before the 2026 General Assembly Session.

**Other:** None