

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

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ORIGINAL

Bill Number: HB2314
Bill Title: Discovery.

Patron: Davis

Bill Summary: Allows the accused to request the Commonwealth to copy or photograph any discovery materials or evidence he is permitted to inspect and review, including relevant police reports, witness statements, and the name and contact information of any potential witness, and requires the Commonwealth to provide such copies or photographs, electronically or otherwise, to him or his counsel.

The bill requires all attorneys for the Commonwealth to provide (i) discovery material for all courts to counsel of record for the accused, if requested, by electronic means, defined in the bill, unless such material is prohibited from being distributed by law or impossible to provide by electronic means and (ii) to counsel of record for the accused, if requested, in any district court a copy of any police report by electronic means at least 10 days prior to the date the case is set for trial.

The bill requires the attorney for the Commonwealth to provide a copy of a person's criminal history record information, including information maintained in the National Crime Information Center (NCIC) and the Interstate Identification Index System (III System) that is in his possession, pursuant to the rules of court for obtaining discovery or for review by the court. Current law provides that nothing shall preclude the dissemination of a person's criminal history record information pursuant to such rules of court but does not require the attorney for the Commonwealth to provide the copy nor identify specific types of information.

Budget Amendment Necessary: Indeterminate **Items Impacted:** Indeterminate
Explanation: See below

Fiscal Summary: According to the Office of the Executive Secretary of the Supreme Court (OES), this bill does not have a fiscal impact on Courts. Any fiscal impact this bill may have on Commonwealth's Attorneys is not known at this time. If additional information indicates a fiscal impact, this statement will be revised.

Fiscal Analysis: None required

Other: None