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

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Bill Number: HB1661 H1 Patron: Jones

Bill Title: Deferred or installment payment agreements; universal minimum payments.

Bill Summary: The substitute bill provides that if a defendant requests to enter into an installment agreement, the court must offer installment payments of \$25 per month except that the defendant may choose to pay a higher amount. If the defendant indicates that he is unable to pay \$25 per month, the court must assess the defendant's ability to pay using a form developed by the Office of the Executive Secretary of the Supreme Court (OES).

The bill also prohibits a court from requiring payment from any defendant who was previously determined to be indigent by the court pursuant to § 19.2-159 (Determination of indigency; guidelines; statement of indigence; appointment of counsel), except with respect to restitution.

Budget Amendment Necessary: Yes **Items Impacted:** Front Page

Explanation: See below

Fiscal Summary: This bill would have an indeterminate, but potentially significant, impact on revenue collected by Courts.

General Fund Revenue Impact:

<u>Agency</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
Front Page		(\$23.0 million)	Indeterminate	Indeterminate	Indeterminate	Indeterminate
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TOTAL		Indeterminate	Indeterminate	Indeterminate	Indeterminate	Indeterminate

Fiscal Analysis: The OES provided the following information to help assess the potential impact of this bill. In fiscal year (FY) 2023 circuit courts assessed \$46,128,900, general district courts assessed \$15,006,329, and juvenile and domestic relations district courts assessed \$2,868,735 against defendants who were either represented by court-appointed counsel or a public defender. OES also reports that between fiscal years 2019 and 2023, the average percentages paid into courts for fines and costs by persons represented by court appointed counsel or a public defender, in relation to the total amounts assessed against such persons, were 33%, 43%, and 45% respectively. Applying these percentages to amounts assessed in FY 2023, \$22,966,190 in payments would have been foregone if no payment toward fines and costs were required for persons who were determined to be indigent pursuant to § 19.2-159. Therefore, adjustments to general fund revenue may be required.

Other: None