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

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Bill Number: SB1010 ER **Patron:** Surovell **Bill Title:** Subpoenas duces tecum; financial records of nonparty.

Bill Summary: The bill authorizes a nonparty to a civil proceeding to file a motion to quash or modify a subpoena duces tecum issued by a party to such proceeding for the production of (i) financial records of a nonparty account holder or (ii) if such nonparty is an attorney, such attorney's records subject to attorney-client privilege. The bill prohibits certain financial entities from conditioning the compliance with a subpoena for production of financial records upon the payment of fees for producing such records.

An enactment clause directs the Supreme Court of Virginia to amend its rules as necessary to be consistent with the provisions of the bill.

Another enactment clause directs the Boyd-Graves Conference to study whether the Code of Virginia should be amended further to grant standing to other nonparties to file a motion to quash or modify a subpoena duces tecum for other types of records requested by a party in a civil proceeding and to submit the findings of such study to the Chairmen of the Senate and House Committees for Courts of Justice by November 1, 2025.

Budget Amendment Necessary: No Items Impacted: N/A

Explanation: N/A

Fiscal Summary: According to the Office of the Executive Secretary of the Supreme Court (OES) and the Virginia State Bar (VSB) this bill is not expected to have a fiscal impact on agency operations. The Boyd-Graves Conference is a steering committee of the Virginia Bar Association, which is not a state agency and does not receive any state funding. Any impact this bill may have on the Boyd-Graves Conference is unknown.

Fiscal Analysis: None required

Other: This bill is the same as HB2565 ER.