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1 **HOUSE BILL NO. 754**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact § 37.2-804 of the Code of Virginia, relating to emergency custody, involuntary*
5 *temporary detention, and commitment hearings; special justice and judge fees.*

6 Patron—Runion

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 37.2-804 of the Code of Virginia is amended and reenacted as follows:**10 **§ 37.2-804. Fees and expenses.**11 A. Any special justice, any retired judge sitting by designation pursuant to § 16.1-69.35, or any district
12 court substitute judge who presides over hearings pursuant to the provisions of §§ 37.2-809 through 37.2-820,
13 Article 16 (§ 16.1-335 et seq.) of Chapter 11 of Title 16.1, or § 19.2-169.6 shall receive a fee of \$120 \$150
14 for each hearing thereunder plus his necessary expenses, including mileage, parking, tolls, and postage, and
15 \$70 for each certification hearing and each order under Chapter 11 (§ 37.2-1100 et seq.) ruling on
16 competency or treatment plus his necessary expenses, including mileage, parking, tolls, and postage.17 B. Any physician, psychologist or other mental health professional, or any interpreter, appointed pursuant
18 to § 37.2-802 for persons who are deaf, who is not regularly employed by the Commonwealth and is required
19 to serve as a witness or as an interpreter in any proceeding under this chapter or § 19.2-169.6 shall receive a
20 fee of \$120 and his necessary expenses for each commitment hearing for involuntary admission in which he
21 serves and \$70 and necessary expenses for each certification hearing in which he serves.22 C. Other witnesses regularly summoned before a judge or special justice under the provisions of this
23 chapter shall receive the compensation for their attendance and mileage that is allowed witnesses summoned
24 to testify before grand juries.25 D. Every attorney appointed under § 37.2-806 or §§ 37.2-809 through 37.2-820 shall receive a fee of \$120
26 and his necessary expenses for each hearing thereunder and \$70 and his necessary expenses for each
27 certification hearing and each proceeding under Chapter 11 (§ 37.2-1100 et seq.).28 E. Except as hereinafter provided, all expenses incurred, including the fees, attendance, and mileage
29 aforesaid, shall be paid by the Commonwealth. When any such fees, costs, and expenses, incurred in
30 connection with an examination or hearing for an admission pursuant to § 37.2-806 or §§ 37.2-809 through
31 37.2-820, to carry out the provisions of this chapter or in connection with a proceeding under Chapter 11
32 (§ 37.2-1100 et seq.) or § 19.2-169.6, are paid by the Commonwealth, they shall be recoverable by the
33 Commonwealth from the person who is the subject of the examination, hearing, or proceeding or from his
34 estate. Collection or recovery may be undertaken by the Department. When the fees, costs, and expenses are
35 collected or recovered by the Department, they shall be refunded to the Commonwealth. No fees or costs
36 shall be recovered, however, from the person who is the subject of the examination or hearing or his estate
37 when no good cause for his admission exists or when the recovery would create an undue financial hardship.
38 Any necessary expenses incurred pursuant to subsection A, B, or D shall be paid in accordance with
39 guidelines established by the Supreme Court of Virginia.

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INTRODUCED

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