

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB0247

Patron: Vivian E. Watts

Bill Title: Deferred Disposition in a Criminal Case.

Bill Summary: Deferred disposition in a criminal case; persons with autism or intellectual disabilities; expungement. Provides that when a court defers and dismisses a charge pursuant to the autism or intellectual disability deferred disposition statute, such charge may be considered as otherwise dismissed for purposes of expungement of police and court records. The bill also clarifies that the defendant may request a hearing to determine the appropriateness of a deferred disposition at any time before or after any plea.

Budget Amendment Necessary: None

Items Impacted: N/A

Explanation: See Fiscal Summary

Fiscal Summary: Under this bill, defendants with autism or intellectual disabilities may request a hearing to determine the appropriateness of a deferred disposition before or after a plea and the deferred disposition may be considered as otherwise dismissed for the purposes of expungement. According to VSP, one additional full-time position is anticipated to be needed due to workload concerns. The estimated cost of this position is \$98,389 annually, however due to the uncertainty of the number of people that will request the court according to the provisions of the bill, it is indeterminate as to the need for the additional position. According to the Office of the Executive Secretary (OES) of the Supreme Court of Virginia, there is no anticipated fiscal impact from the bill.

Fiscal Analysis:

Under this bill, defendants with autism or intellectual disabilities may request a hearing to determine the appropriateness of a deferred disposition before or after a plea and the deferred disposition may be considered as otherwise dismissed for the purposes of expungement. The Central Criminal Records Exchange (CCRE) of the Department of State Police is currently operating at or over capacity with a backlog of record expungements to be processed due to the large increase in expungement orders over the last 2 years. This bill will add additional cases that are eligible for expungement that will need to be processed by the Department. An additional program support technician senior position may be necessary to process the additional record expungements as created by this bill. This program support technician position would have an annual cost of \$98,389 for salary and benefits. However, due to the uncertainty of the number of people that will request the court according to the provisions of the bill, it is indeterminate as to the need for the additional position. According to the Office of the Executive Secretary (OES) of the Supreme Court of Virginia, any unanticipated costs that may arise from the bill are expected to be absorbable with existing resources.

Other: None