

**Department of Corrections
2026 General Assembly Session
State Fiscal Impact Statement**

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ORIGINAL

Bill Number: HB16

Patron: Marcia Price

Bill Title: Community service work in lieu of payment of fines and costs; work performed while incarcerated.

Bill Summary: As amended, this bill requires a court to establish a program and allow any person upon whom a fine and costs have been imposed to discharge all or part of the fine or costs by earning credits for the performance of community service work or work performed while incarcerated, defined in the bill as any work done on or after July 1, 2023, by a person confined in any penal or corrective institution of the Commonwealth or any of its political subdivisions who is paid a wage that is less than the Virginia minimum wage. The bill requires such program be available during such person's imprisonment in a local, regional, or state correctional facility. The bill provides that a person who is performing work while incarcerated shall be credited at the same rate as the community service work rate less any wages received. Under current law, a court is required to establish a program for providing an option for community service work in lieu of payment of fines and costs but offering such option is not mandatory. The bill also requires the local, regional, or state correctional facility to provide confirmation of the hours worked and the credits earned for such work upon request of any person who has performed work while incarcerated or his representative.

Budget Amendment Necessary: Yes

Items Impacted: Item 390

Explanation: See below

Fiscal Summary:

To carry out the requirements of this proposal, the Department of Corrections (DOC) reports they would need \$151,627 GF funding for four Program Support Technicians in the first year. Funding would decline in subsequent years as the number of employees would be reduced from four to two and then one. These positions would be wage positions, so no additional FTE is needed. According to the Office of the Executive Secretary (OES) for the Supreme Court of Virginia, there is an indeterminate impact on the Courts.

General Fund Expenditure Impact:

Agency	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
Department of Corrections	\$0	\$151,627	\$75,814	\$37,907	\$37,907	\$37,907
TOTAL	\$0	\$151,627	\$75,814	\$37,907	\$37,907	\$37,907

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Fiscal Analysis:

According to the Department of Corrections (DOC), the agency currently captures all the information required by this proposal. To implement a process to receive, research, and respond to requests for confirmation of work performed while incarcerated, including work dating back to July 1, 2023, DOC reports they would need funding to support employee wages. DOC expects the majority of requests to come in the first year as individuals seek documentation for work performed from July 1, 2023. Therefore, the costs are front-loaded, totaling \$151,627 to support the wages of four Program Support Technicians. Over time, DOC expects request volume to decline as the pool of retroactively eligible individuals is exhausted. As such, the number of wage employees would be reduced to two in FY2028 for a total cost of \$75,814. In the out years (FY2029-FY2031), the number of wage positions needed would be further reduced to one, a cost of \$37,907 for ongoing support as DOC expects the workload to consist of incremental requests. Costs provided include Federal Insurance Contributions Act (FICA) and assume 1,500 hours worked annually, per wage employee.

The Board of Local and Regional Jails (BOLRJ) expects an operational and administrative impact as staff coordinate with individual jails to locate, verify and reconcile historical work information. However, the BOLRJ does not anticipate a fiscal impact from the bill.

According to the Office of the Executive Secretary (OES) for the Supreme Court of Virginia, there is an indeterminate impact on the Courts.

Other: None.