

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

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**ORIGINAL**

**Bill Number:** HB718

**Patron:** Zehr

**Bill Title:** Issuance of summons instead of warrant in certain cases.

**Bill Summary:** Provides that in any misdemeanor case or in any class of misdemeanor cases other than Class 1 or 2 misdemeanors, or in any case involving complaints made by any state or local governmental official or employee having responsibility for the enforcement of any statute, ordinance, or administrative regulation, the magistrate or other issuing authority having jurisdiction may issue a summons instead of a warrant only upon a showing of evidence that the accused is willing and able to appear in the courts having jurisdiction over the trial of the offense charged. The bill further provides that in cases involving Class 1 or 2 misdemeanors, the magistrate or other issuing authority having jurisdiction shall issue a warrant for such alleged offense unless he finds that there is reason to believe that the person charged will appear in the courts having jurisdiction over the trial of the offense charged. The bill requires the magistrate or other issuing authority having jurisdiction to submit, in writing, the facts supporting his decision to issue a summons instead of a warrant, which shall be filed with the summons in the court file. Under current law, the magistrate or other issuing authority having jurisdiction may issue a summons instead of a warrant when there is reason to believe that the person charged will appear in the courts having jurisdiction over the trial of the offense charged.

**Budget Amendment Necessary:** None

**Items Impacted:** N/A

**Explanation:** N/A

**Fiscal Summary:** 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:** Any unanticipated costs that may arise from the bill are expected to be absorbable with existing resources.

**Other:** None.