

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

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ORIGINAL

Bill Number: SB812S1

Patron: Boysko

Bill Title: Victims of crime; reimbursement for expenses; Coordinator of the Virginia Sexual Assault Forensic Examiner Coordination Program; work group.

Bill Summary: Provides that all medical fees expended in the gathering of evidence through anonymous trace evidence collection kit examinations conducted on victims complaining of strangulation pursuant to relevant law shall be paid by the Commonwealth through the Criminal Injuries Compensation Fund (also known as the Virginia Victims Fund) administered by the Virginia Workers' Compensation Commission. The bill states that such victims shall not be required to participate in the criminal justice system or cooperate with law-enforcement authorities in order to be provided with such medical exams.

Under current law, all medical fees expended in the gathering of evidence through physical evidence recovery kit examinations conducted on victims complaining of sexual assault are paid by the Commonwealth via the Fund, and victims complaining of sexual assault are not required to participate in the criminal justice system or cooperate with law-enforcement authorities in order to be provided with such forensic medical exams.

The bill expands the powers and duties of the Commission to adopt, promulgate, amend, and rescind suitable rules and regulations to include a distinct policy for the payment of anonymous trace evidence collection kit examinations.

Lastly, the bill directs the Director of the Department of Criminal Justice Services to convene a work group of relevant stakeholders to discuss and submit recommendations for certain matters related to the reimbursement process for forensic medical examinations, enumerated in the bill. The bill directs the work group to submit a report with recommendations to the Chairs of the House Committee on Health and Human Services, the House Committee on Appropriations, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations by November 1, 2026.

Budget Amendment Necessary: Yes

Items Impacted: Item 392, Item 488

Explanation: The Department of Criminal Justice Services (DCJS) anticipates general fund costs for the workgroup. The cost in the first year is \$30,000. The Virginia Workers' Compensation Commission (VWC) anticipates a cost of \$130,000 the first year and \$100,000 FY28 onwards to cover one-time technology costs and the anticipated number of new exams.

Fiscal Summary: See above explanation.

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General Fund Expenditure Impact:

Agency	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
VWC	\$0	\$130,000	\$100,000	\$100,000	\$100,000	\$100,000
DCJS	\$0	\$30,000	\$0	\$0	\$0	\$0
TOTAL	\$0	\$160,000	\$100,000	\$100,000	\$100,000	\$100,000

Fiscal Analysis: The Department of Criminal Justice Services (DCJS) anticipates \$30,000 in general fund expenses related to the required work group for items such as meeting logistics and subject matter expertise to inform the work group. The cost estimate assumes eight meetings at \$2,000 each (\$600 for meals/incidental for 11-13 attendees, \$800 for travel, and \$600 for lodging for out-of-town attendees). The remaining \$14,000 will be used for subject matter experts. Given the short timeframe and extensive requirements of the report, DCJS indicates the support from subject matter experts is crucial.

The Virginia Workers' Compensation Commission (VWC) anticipates a cost of \$130,000 the first year and \$100,000 FY28 onwards to cover one-time technology costs and the anticipated number of new exams. This legislation does not provide a revenue stream for trace evidence kits and the Criminal Injuries Compensation Fund (CICF) cannot absorb the cost of the medical fees from the kits. VWC will require additional general fund appropriation to cover technology costs and to cover the medical fees of anonymous trace collection kits..

The Department of General Services' Division of Consolidated Laboratory Services (DCLS) currently receives general fund appropriation to receive, track, store, and distribute kits to an approved laboratory for analysis. DCLS does not perform sample collection or testing. DCLS currently has sufficient staffing and financial resources to accommodate the potential increase in kits that may materialize under this legislation.

The Virginia Department of Health and Commonwealth Attorneys' Services Council do not anticipate any fiscal impact from the workgroup in this bill. The legislation provides that the Executive Secretary of the Supreme Court is to serve on the workgroup and while their fiscal impact assessment is not available yet, it is assumed no fiscal impact is expected.

Other: The original companion bill HB1464 has not been amended.