

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

Fiscal Analysis: According to CASC, the provisions of the bill will require an additional 454 hours of attorney work annually to conduct additional investigations and find and prepare expert witnesses. Additional anticipated costs include compensation for expert witnesses, which is estimated to be \$38,000 annually. However, it is not possible to estimate the number of cases that will be impacted by the provisions of this bill and therefore the fiscal impact on Commonwealth's Attorneys' operations is indeterminate at this time.

According to OES, the bill is likely to increase the number of defendants who wish, and are able, to enter evidence regarding their mental conditions or disabilities. Offering this evidence will require assessments and testimony by experts, who are paid for their services out of the Criminal Fund when the defendant has been determined to be indigent. The number of such defendants who would be inclined to enter this evidence based on the expanded standards for consideration cannot be determined. Though this bill would likely increase payments from the Criminal Fund each year, the actual financial impact upon the Criminal Fund is indeterminate.

Other: None.