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

PUBLISHED: 2/16/2026 9:46 AM **ORIGINAL**

Bill Number: SB416E **Patron:** Boysko
Bill Title: Deferred disposition in a criminal case; persons with autism, intellectual disabilities, or developmental disabilities; expungement.

Bill Summary: This engrossed bill adds developmental disabilities to the autism and intellectual disability deferred disposition statute. The bill also provides that when a court defers and dismisses a charge pursuant to the autism, intellectual disability, or developmental disability deferred disposition statute, such charge may be considered as otherwise dismissed for purposes of expungement of police and court records. The bill also (i) clarifies that the defendant may request a hearing to determine the appropriateness of a deferred disposition at any time before or after any plea and (ii) provides that no statement made by the defendant at such a hearing is admissible in any criminal proceeding, except that any such statement made under oath may be admissible in a criminal proceeding for perjury.

Budget Amendment Necessary: None **Items Impacted:** N/A
Explanation: See below

Fiscal Summary: According to the Office of the Executive Secretary of the Supreme Court of Virginia (OES), the fiscal impact on Courts is indeterminate.

Fiscal Analysis: According to the Office of the Executive Secretary of the Supreme Court of Virginia (OES), this bill could potentially add more hearings for some criminal cases. However, the number of defendants who would be affected, and the number of hearings that would thereafter be requested, cannot be determined. The additional burden on trial court judges added by this bill would be reflected in future judicial workload assessments.

Other: None.