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

PUBLISHED: 2/27/2026 10:13 AM **ORIGINAL**

Bill Number: SB495ER **Patron:** Deeds
Bill Title: Emergency substantial risk order; allowable petitioners.

Bill Summary: Adds a licensed professional counselor, licensed clinical social worker, licensed marriage and family therapist, licensed clinical psychologist, licensed clinical psychiatrist, licensed psychiatric nurse practitioner, psychiatric physician assistant, psychiatric clinical nurse specialist, doctor of medicine, doctor of osteopathy, certified evaluator, designee of the local community services board, immediate family or household member, intimate partner, school administrator, or superintendent or superintendent's designee, who may be a representative from the threat assessment team established pursuant to § 22.1-79.4, of any school in which the person against whom the order is sought is currently enrolled or has been enrolled in the six months preceding the filing of such petition to the list of persons who may petition a court for an emergency substantial risk order. Current law allows an attorney for the Commonwealth or a law-enforcement officer to file such petition.

Budget Amendment Necessary: No **Items Impacted:** None.

Fiscal Summary: There is no fiscal impact to expand the list of individuals who can petition a court for an emergency substantial risk order. However, the substitute legislation also expands the applicability of an existing misdemeanor. There is not enough information available to reliably estimate the increase in jail population or revenue generated from fines resulting from this proposal.

Fiscal Analysis: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than $2,500, either or both.

There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays localities $5.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. It also funds a large portion of the jails' operating costs, e.g., correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2025), the estimated total state support for local jails averaged $58.25 per inmate, per day in FY 2024.

This bill is not expected to have a fiscal impact on the Department of Behavioral Health and Developmental Services or law enforcement.

Other: None.