

VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

CHAPTER 592

An Act to amend and reenact § 19.2-303.4 of the Code of Virginia, relating to payment of costs when proceedings deferred.

[H 331]

Approved April 13, 2026

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-303.4 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-303.4. Payment of costs when proceedings deferred.

A. A circuit or district court, ~~which~~ *that* has deferred further proceedings, without entering a judgment of guilt, and ~~placed~~ *imposed* on a defendant on probation subject to terms and conditions pursuant to § 4.1-305, 16.1-278.8, 16.1-278.9, 18.2-57.3, 18.2-61, 18.2-67.1, 18.2-67.2, 18.2-251, 19.2-298.02, 19.2-303.2, or 19.2-303.6 shall *also* impose upon the defendant costs.

B. *For any deferral entered into on or after July 1, 2026, pursuant to § 4.1-305, 16.1-278.8, 16.1-278.9, 18.2-57.3, 18.2-61, 18.2-67.1, 18.2-67.2, 18.2-251, 19.2-298.02, 19.2-303.2, or 19.2-303.6, the court shall not require the defendant to pay such costs or other fees imposed pursuant to subsection A as a term or condition of his deferral. Upon fulfillment of all other terms and conditions, the court shall adjudicate the matter consistent with the agreement of the parties or, if none, by conviction of an alternative charge or dismissal of the case. However, such costs and other fees shall remain due until paid, and all methods of payment and collection already available at law to satisfy or collect any outstanding costs or other fees shall remain available to such court after the underlying case against the defendant has been adjudicated or dismissed.*