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SENATE BILL NO. 847

Offered January 13, 2027

Prefiled October 26, 2026

A BILL to amend and reenact §§ 19.2-327.15 through 19.2-327.19 and 19.2-392.12 of the Code of Virginia, relating to writ of vacatur for victims of human trafficking or ongoing domestic violence; sealing.

Patron—Locke

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 19.2-327.15 through 19.2-327.19 and 19.2-392.12 of the Code of Virginia are amended and reenacted as follows:

CHAPTER 19.4.**ISSUANCE OF WRIT OF VACATUR FOR VICTIMS OF HUMAN TRAFFICKING OR ONGOING DOMESTIC VIOLENCE.****§ 19.2-327.15. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Ancillary matter" means any (i) violation or alleged violation of the terms and conditions of a suspended sentence, probation, or parole; (ii) violation or alleged violation of contempt of court; (iii) charge or conviction for failure to appear; or (iv) appeal from a bail, bond, or recognizance order related to a qualifying offense.

"Labor trafficking" means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to debt bondage, involuntary servitude, peonage, or slavery.

"Ongoing domestic violence" means the ongoing occurrence of domestic violence as that term is defined in § 38.2-508.

"Official documentation" means any documentation issued by a federal, state, or local agency, a multidisciplinary team or task force, a licensed psychologist, a licensed clinical social worker, or an otherwise qualified subject matter expert.

"Qualifying offense" means any attempted, completed, or conspired (i) felony that is not a violent felony offense listed under subsection C of § 17.1-805, (ii) misdemeanor, or (iii) specifically identified ancillary matter.

"Sex trafficking" means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act that is induced by force, fraud, or coercion or in which the person induced to perform such act has not attained 18 years of age.

"Victim of human trafficking" means any person subjected to an act or the practice of labor trafficking or sex trafficking, regardless of whether any other person has been charged with or convicted of an offense related to the labor trafficking or sex trafficking of such person.

§ 19.2-327.16. Issuance of writ of vacatur for victims of human trafficking or ongoing domestic violence.

A. Notwithstanding any other provision of law or rule of court, upon a petition of a person who was arrested for, charged with, or convicted or adjudicated delinquent of a qualifying offense, the circuit court of the county or city in which such arrest, charge, conviction, or adjudication of delinquency was entered shall have the authority to issue writs of vacatur under this chapter *for victims of human trafficking or ongoing domestic violence*. Such court shall also have the authority to issue writs of vacatur under this chapter for any specifically identified ancillary matter.

B. The Rules of Supreme Court of Virginia governing practice and procedures in civil actions shall be applicable to proceedings under this chapter.

C. The circuit court shall have the authority to conduct hearings on petitions for vacatur.

D. Any party aggrieved by the decision of the circuit court may appeal such decision to the Supreme Court of Virginia.

§ 19.2-327.17. Contents and form of the petition for vacatur.

A. Any victim of human trafficking or ongoing domestic violence may file a petition for vacatur setting forth the relevant facts and requesting that any arrest record or charge, the judgment of a conviction or adjudication of delinquency, or an ancillary matter, if any, be vacated. Such petition shall allege categorically and with specificity, under oath, all of the following:

1. The petitioner was arrested for, charged with, or convicted or adjudicated delinquent of a qualifying offense, including the date on which the qualifying offense occurred, the date of final disposition, the

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petitioner's date of birth, and the full name used by the petitioner at the time of the offense;

2. The petitioner was a victim of human trafficking *or ongoing domestic violence* at the time ~~he~~ *the petitioner* committed, was arrested for, or was charged with the qualifying offense and ~~his~~ *the petitioner's* status as a victim of human trafficking *or ongoing domestic violence* was the proximate cause of such arrest, charge, or commission; and

3. Whether the petitioner has previously filed any other petition in accordance with this chapter in any circuit court and, if so, the disposition of such petition.

B. Subject to the reasonable concerns for the safety of the petitioner, the petitioner's family, or any other victim of human trafficking *or ongoing domestic violence* who may be jeopardized by the filing of a petition, such petition shall contain all relevant allegations of facts that are known to the petitioner at the time of filing, which shall include a short, plain statement demonstrating (i) that the petitioner is entitled to relief under this chapter; (ii) the identity of the human trafficker *or domestic abuser*, to the best of the petitioner's knowledge; (iii) the approximate date, time, place, and manner in which the petitioner became a victim of human trafficking *or ongoing domestic violence*; (iv) the petitioner's age at the time ~~he~~ *the petitioner* became a victim of human trafficking *or ongoing domestic violence*; (v) how the petitioner became involved in the activities resulting in ~~his~~ *the petitioner's* arrest, prosecution, and conviction or adjudication; and (vi) that the petitioner has ceased to be a victim of human trafficking *or ongoing domestic violence* or has sought rehabilitative services. Such statement shall be filed under seal and provided only to the circuit court and the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may provide the information provided in such statement, with the exception of the petitioner's identity, to any law-enforcement agency to investigate or prosecute criminal activity. The identity of the petitioner shall only be provided to law enforcement upon notice to the petitioner and an order of the circuit court authorizing such disclosure. Nothing in this subsection shall be construed to mandate a petitioner's cooperation with law enforcement in any resulting investigation or prosecution.

The petition shall be filed on a form prescribed by the Supreme Court. If the petitioner fails to submit a completed form, the circuit court may allow the petitioner to amend the petition to correct any deficiency. If the petitioner fails to submit a completed form containing the allegations set forth in subsection A, or if the circuit court has previously dismissed a petition for vacatur from the same petitioner for the same qualifying offense following a hearing conducted pursuant to § 19.2-327.18, the court may dismiss the petition. Any false statement in the petition, if such statement is knowingly or willfully made, shall be grounds for prosecution of perjury as provided for in § 18.2-434.

C. The petitioner shall obtain from a law-enforcement agency one complete set of the petitioner's fingerprints and shall file those fingerprints with the circuit court with the petition.

D. The Commonwealth shall be made party defendant to the proceeding. The petitioner shall provide a copy of the petition by delivery or by first-class mail, postage prepaid, to the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may file an objection or answer to the petition or may give written notice to the court that he does not object to the petition within 30 days after receipt of the petition. Upon the motion of the attorney for the Commonwealth and for good cause shown, the court may allow the attorney for the Commonwealth up to an additional 30 days to respond to the petition.

E. A person arrested for, charged with, or convicted or adjudicated delinquent of multiple qualifying offenses shall include all qualifying offenses in one petition, if such arrests, charges, convictions, or adjudications were all entered in the same city or county, and ancillary matters, if any. A person arrested for, charged with, or convicted or adjudicated delinquent of qualifying offenses in different cities or counties shall file petitions in the circuit courts of the cities or counties in which such arrests, charges, convictions, adjudications of delinquency, or ancillary matters, if any, were entered.

§ 19.2-327.18. Hearing on petition for vacatur.

A. If the attorney for the Commonwealth of the county or city in which the petition is filed (i) gives written notice to the court that he does not object to the petition and (ii) stipulates in such written notice that the petitioner was arrested for, charged with, or convicted or adjudicated delinquent of a qualifying offense and that the petitioner was a victim of human trafficking *or ongoing domestic violence* at the time ~~he~~ *the petitioner* committed, or was arrested for or charged with, the qualifying offense and ~~his~~ *the petitioner's* status as a victim of human trafficking *or ongoing domestic violence* was the proximate cause of such arrest, charge, or commission, the circuit court may grant the writ and vacate the qualifying offense without conducting a hearing.

B. If the attorney for the Commonwealth of the county or city in which the petition is filed objects to the petition or does not file an answer, the court shall conduct a hearing on the petition after reasonable notice has been provided to both the petitioner and the attorney for the Commonwealth. The attorney for the Commonwealth shall make reasonable efforts to notify any victim, as defined in § 19.2-11.01, of any qualifying offense of such hearing. In any such hearing, the attorney for the Commonwealth may proffer any evidence pertaining to the guilt or innocence of the petitioner, including evidence that was suppressed at trial. The circuit court shall not be required to conduct a hearing if it has previously dismissed a petition for vacatur

from the same petitioner for the same qualifying offense.

C. Upon finding that the petitioner has by a preponderance of the evidence proven the elements contained in subsection A of § 19.2-327.17, the circuit court shall grant the writ and vacate the qualifying offense. If the petitioner fails to prove any of these elements, the court shall dismiss the petition. Additionally, the circuit court may issue a writ of vacatur for any specifically identified ancillary matter.

D. Prior to any decision to grant the writ, the court shall determine whether any restitution is unpaid under the terms of the sentencing order for the qualifying offense. If the court grants the writ, the petitioner shall be forever discharged from any such restitution obligation, and the victim, as defined in § 19.2-11.01, of the qualifying offense shall be deemed a victim of crime as defined in § 19.2-368.2. Such victim shall be eligible to petition for awards pursuant to Chapter 21.1 (§ 19.2-368.1 et seq.), and ~~his~~ such claim for restitution reimbursement shall be deemed to accrue on the date the court grants the writ.

E. The court may grant the writ and vacate the qualifying offense and ancillary matter, if any, regardless of whether any person other than the petitioner has been arrested for, charged with, or convicted or adjudicated delinquent of an offense related to the petitioner being a victim of human trafficking or ongoing domestic violence.

F. There shall be a rebuttable presumption that the petitioner was a victim of human trafficking or ongoing domestic violence if there is official documentation of the petitioner's status as a victim of human trafficking or ongoing domestic violence at the time of the offense. If official documentation addressing proximate cause is offered, that documentation shall establish a prima facie case of proximate cause.

§ 19.2-327.19. Relief under writ of vacatur.

A. Upon granting a writ of vacatur pursuant to subsection C of § 19.2-327.18, the circuit court shall provide the petitioner with a copy of the writ, and such copy shall be sufficient proof that the person named in the writ is no longer under any disability, disqualification, or other adverse consequence resulting from the vacated arrest, charge, conviction, adjudication of delinquency, or ancillary matter, if any.

B. If a writ of vacatur is granted and (i) no appeal is made to the Supreme Court, (ii) the Supreme Court refuses or denies the Commonwealth's petition for appeal, or (iii) the Supreme Court upholds the decision of the circuit court, an order of expungement for the qualifying offense and ancillary matter, if any, shall be entered by the circuit court. Upon entry of the order of expungement, the clerk of court shall cause a copy of the writ of vacatur, the order of expungement, and the complete set of petitioner's fingerprints to be forwarded to the Department of State Police, which shall expunge the qualifying offense and ancillary matter, if any.

C. The writ to vacate the qualifying offense and ancillary matter, if any, and the record of the proceedings shall not be expunged pursuant to subsection B and shall be maintained by the circuit court. Access to the writ or the record of the proceedings may be provided only upon court order. *However, any writ or record of the proceedings that is ordered to be sealed pursuant to § 19.2-392.12 may be disclosed as provided in § 19.2-392.13.* Any person seeking access to the writ or the record of the proceedings may file a written motion setting forth why such access is needed. The court shall issue an order to disclose the writ or the record of the proceedings upon the written motion of the petitioner named in the writ or the attorney for the Commonwealth of the city or county in which the petition is filed. The court may issue an order to disclose the writ or the record of the proceedings if it finds that such disclosure best serves the interests of justice. Court-ordered disclosure of the record of the proceedings pursuant to this subsection shall not subject the recipient of the disclosure to the provisions of § 19.2-392.3.

D. Costs shall be as provided in § 17.1-275 but shall not be recoverable against the Commonwealth. A petitioner shall not be required to pay any fees or costs for filing a petition pursuant to this chapter if the petitioner is found to be unable to pay fees or costs pursuant to § 17.1-606. If the circuit court enters a writ of vacatur, the clerk of the court shall refund to the petitioner such costs paid by the petitioner.

E. If the court enters a writ of vacatur, the petitioner shall be entitled to a refund of all fines and penalties paid in relation to the qualifying offense and ancillary matter, if any, that was vacated. If the clerk of the court where the conviction or adjudication was entered is in possession of any records detailing any fines and penalties paid by the petitioner for a qualifying offense and ancillary matter, if any, that was vacated, the petitioner shall be entitled to a refund of such amount. If the clerk of the court where the conviction or adjudication was entered is no longer in possession of any records detailing any fines and penalties paid by the petitioner for a qualifying offense and ancillary matter, if any, that was vacated, a refund shall be provided only upon a showing by the petitioner of the amount of fines and penalties paid.

§ 19.2-392.12. Sealing of offenses relating to a deferred and dismissed disposition or conviction or writ of vacatur by petition.

A. Except as provided in subsection L, a person who has been (i) convicted of or had a charge deferred and dismissed or (ii) granted a writ of vacatur pursuant to Chapter 19.4 (§ 19.2-327.15 et seq.) for a (i) (a) misdemeanor, (ii) (b) Class 5 or 6 felony, or (iii) (c) violation of § 18.2-95 or any other felony offense in which the defendant such person is deemed guilty of larceny and punished as provided in § 18.2-95, where the offense date for such misdemeanor or felony was on or after January 1, 1986, may file a petition setting forth the relevant facts and requesting sealing of the criminal history record information and court records

related to the charge or conviction. In addition to requesting the sealing of a charge or conviction, such petition may also request the sealing of any specifically identified ancillary matter related to such charge or conviction.

B. A person shall not be required to pay any court fees or costs for filing a petition pursuant to this section.

C. The petition with a copy of the warrant, summons, or indictment, if reasonably available, shall be filed in the circuit court of the county or city in which the case was disposed of and shall contain, except when not reasonably available, the date of arrest, the name of the arresting agency, the date of conviction or deferred dismissal or *writ of vacatur*, and the case number associated with each court record that is the subject of the petition. When this information is not reasonably available, the petition shall state the reason for such unavailability. The petition shall further state the charge or conviction and any ancillary matters to be sealed; the date of final disposition of the charge or conviction and any ancillary matters as set forth in the petition; the petitioner's date of birth, sex, race, and social security number, if available; and the full name used by the petitioner at the time of arrest or summons. A petition may request the sealing of the criminal history record information and court records for multiple charges or convictions and ancillary matters as set forth in subsection A provided that all such charges and convictions arose out of the same transaction or occurrence and all such charges and convictions are eligible for sealing. A petition may not request the sealing of the criminal history record information and court records for multiple charges or convictions that arose out of different transactions or occurrences, except that ancillary matters shall not be treated as separate transactions or occurrences. A petitioner may only have two petitions granted pursuant to this section within his lifetime.

D. The Commonwealth shall be made party to the proceeding. The petitioner shall provide a copy of the petition by delivery or by first-class mail, postage prepaid, to the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may file an objection or answer to the petition or may give written notice to the court that he does not object to the petition within 30 days after it is delivered to him or received in the mail.

E. In addition to the filing of the petition under subsection C, the petitioner shall request that the Central Criminal Records Exchange (CCRE) electronically forward a copy of the petitioner's Virginia and national criminal history record to the circuit court in which the petition was filed. Upon receiving such request, the CCRE shall electronically forward such record to the circuit court; however, if the circuit court is unable to receive an electronic transmission, the CCRE shall forward a copy of such record to the circuit court which shall be maintained under seal by the clerk unless otherwise ordered by the court. Upon completion of the hearing, the court shall cause the criminal history record to be destroyed unless, within 30 days of the date of the entry of the final order in the matter, the petitioner or the attorney for the Commonwealth notes an appeal as provided by law in civil cases.

F. After receiving the criminal history record of the petitioner, the court may conduct a hearing on the petition. The court shall enter an order requiring the sealing of the criminal history record information and court records, including electronic records, related to the charge or conviction, only if the court finds that all criteria in subdivisions 1 through 6 are met, as follows:

1. The petitioner has (i) never been convicted of a Class 1 or 2 felony or any other felony punishable by imprisonment for life, (ii) not been convicted of a Class 3 or 4 felony within the past 20 years, and (iii) not been convicted of any other felony within the past 10 years from the date the petition was filed.

2. During a period after the date of (i) dismissal of a deferred charge; (ii) conviction; (iii) *the grant of a writ of vacatur*; (iv) release from incarceration on the charge or conviction set forth in the petition; ~~(iv)~~ (v) a finding that the person was in violation of a suspended sentence, probation, or parole related to the charge or conviction set forth in the petition; or ~~(v)~~ (vi) release from incarceration following a finding that the person was in violation of a suspended sentence, probation, or parole related to the charge or conviction set forth in the petition, whichever date occurred later, the petitioner has not been convicted of violating any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 or any other state, the District of Columbia, or the United States or any territory thereof, excluding traffic infractions under Title 46.2, for:

a. Seven years for any misdemeanor offense; or

b. Ten years for any felony offense;

3. If the records relating to the offense indicate that the occurrence leading to the deferral or conviction involved the use or dependence upon alcohol or any narcotic drug or any other self-administered intoxicant or drug of whatsoever nature, the petitioner has demonstrated his rehabilitation;

4. If the petitioner was ordered by a court to pay restitution as a condition of any charge, conviction, or ancillary matter *related to the deferral or conviction* that is the subject of the petition, such restitution has been paid in full;

5. The petitioner has not previously obtained the sealing of two other deferrals or convictions arising out of different sentencing events under this section; and

6. The continued existence and possible dissemination of information relating to the charge or conviction of the petitioner causes or may cause circumstances that constitute a manifest injustice to the petitioner.

G. If the attorney for the Commonwealth of the county or city in which the petition is filed (i) gives written notice to the court pursuant to subsection D that he does not object to the petition and (ii) stipulates in such written notice that the petitioner is eligible to have such offense sealed, and the continued existence and possible dissemination of information relating to the charge or conviction of the petitioner causes or may cause circumstances that constitute a manifest injustice to the petitioner, the court may enter an order of sealing without conducting a hearing.

H. Any party aggrieved by the decision of the court may appeal, as provided by law in civil cases.

I. Upon the entry of an order of sealing, the clerk of the court shall maintain a copy of such order under seal and shall cause an electronic notification of such order to be forwarded to the Department of State Police. Such electronic notification shall contain the petitioner's full name, date of birth, sex, race, and social security number, if available, and the full name used by the petitioner at the time of arrest or summons, as well as the petitioner's state identification number from the criminal history record, the court case number of the charge, conviction, or ancillary matter to be sealed, if available, and the document control number, if available. The Department of State Police shall validate the accuracy of any criminal history record ordered to be sealed pursuant to this section but shall not validate whether such record is eligible for sealing. Upon receipt of such electronic notification, the Department of State Police shall seal such records in accordance with § 19.2-392.13. When sealing such charge, conviction, or ancillary matter, the Department of State Police shall include a notation on the criminal history record that such offense was sealed pursuant to this section. The Department of State Police shall also electronically notify the Office of the Executive Secretary of the Supreme Court and any other agencies and individuals known to maintain or to have obtained such a record that such record has been ordered to be sealed and may only be disseminated in accordance with § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

J. Any order entered where (i) the court or parties failed to strictly comply with the procedures set forth in this section or (ii) the court enters an order for the sealing of records contrary to law shall be voidable upon motion and notice made within two years of the entry of such order.

K. A petition filed ~~under~~ pursuant to this section and any responsive pleadings filed by the attorney for the Commonwealth shall be maintained under seal by the clerk unless otherwise ordered by the court. Any order to seal issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

L. The following offenses are ineligible for sealing under this section:

1. §§ 4.1-309.1, 5.1-13, 18.2-36, 18.2-36.1, 18.2-36.2, and 18.2-47; subsection A of § 18.2-49.1; § 18.2-51.5; subsection C of § 18.2-57; §§ 18.2-57.2, 18.2-57.3, 18.2-59.1, 18.2-60, 18.2-60.3, 18.2-60.5, 18.2-130, 18.2-130.1, 18.2-144, 18.2-144.1, 18.2-154, 18.2-178.1, 18.2-266, 18.2-266.1, 18.2-268.3, 18.2-282.1, and 18.2-324.2; former subsection B of 18.2-346; and §§ 18.2-405, 18.2-406, 18.2-472.1, 19.2-62, 29.1-738, 29.1-738.02, 29.1-738.2, 37.2-912, 40.1-100.2, 40.1-103, 46.2-341.24, and 46.2-341.26;3;

2. Any violation of any offense under § 9.1-902 for which registration with the Sex Offender and Crimes Against Minors Registry is required;

3. Any violation of any violent felony offense listed under subsection C of § 17.1-805;

4. Any violation of any felony offense not listed as a violent felony under subsection C of § 17.1-805 where the person utilized a firearm, as defined in § 18.2-308.2;2, as part of the transaction or occurrence in the underlying offense to be sealed, unless such person's right to possess, transport, or carry a firearm, ammunition for a firearm, or a stun weapon has been restored pursuant to § 18.2-308.2;

5. Any violation of an emergency, preliminary, or permanent protective order issued pursuant to Article 4 (§ 16.1-246 et seq.) of Chapter 11 of Title 16.1 or Chapter 9.1 (§ 19.2-152.7:1 et seq.) or any family abuse protective order issued pursuant to Article 9 (§ 16.1-278 et seq.) of Chapter 11 of Title 16.1;

6. Any violation of any hate crime as defined in § 52-8.5;

7. Any violation of Article 9 (§ 3.2-6570 et seq.) of Chapter 65 of Title 3.2;

8. Any violation of Title 24.2 (§ 24.2-100 et seq.);

9. Any violation involving the possession and distribution of flunitrazepam pursuant to § 18.2-251.2 or the possession of Gamma hydroxybutyric acid (some other names include GHB; gamma hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate) pursuant to § 18.2-250;

10. Any violation where a person was found not guilty by reason of insanity;

11. Any conspiracy, attempt, or solicitation, and any principal in the second degree, accessory before the fact, or accessory after the fact, or any similar ordinance of any county, city, or town, for any offense deemed ineligible under this subsection;

12. Any conspiracy, attempt, or solicitation, and any principal in the second degree, accessory before the fact, or accessory after the fact where the completed substantive offense would be punishable as a Class 1, 2, 3, or 4 felony or by a term of imprisonment of more than 10 years, with the exception of a violation of § 18.2-95 or any other felony offense in which the defendant is deemed guilty of larceny and punished as provided in § 18.2-95;

307 13. Any violation of any offense where the person was prohibited by the court from possessing or owning
308 a companion animal as a result of the transaction or occurrence in the underlying offense to be sealed, while
309 such prohibition remains in effect;

310 14. Any violation of Article 6 (§ 3.2-6537 et seq.) of Chapter 65 of Title 3.2 that involved a dangerous or
311 vicious dog as a part of the transaction or occurrence in the underlying offense to be sealed, while the person
312 continues to own or possess such dog;

313 15. Any violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2;

314 16. Any violation of Article 3 (§ 18.2-346 et seq.) of Chapter 8 of Title 18.2, with the exception of
315 § 18.2-346, former subsection A of § 18.2-346, and § 18.2-347;

316 17. Any violation of Article 4 (§ 18.2-362 et seq.) of Chapter 8 of Title 18.2, with the exception of
317 §§ 18.2-365, 18.2-371.2, 18.2-371.3, and 18.2-371.4;

318 18. Any violation of Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2, with the exception of
319 § 18.2-388; and

320 19. Any offense where the victim of the crime to be sealed was a family or household member, as defined
321 in § 16.1-228, of the person.

322 M. *Notwithstanding the provisions of subsection L, where a charge, conviction, or ancillary matter was*
323 *the subject of a granted writ of vacatur pursuant to Chapter 19.4 (§ 19.2-327.15 et seq.), such charge,*
324 *conviction, or ancillary matter is eligible for sealing.*

325 N. Nothing in this chapter shall prohibit the circuit court from entering an order to seal a charge,
326 conviction, or ancillary matter under this section when such charge, conviction, or ancillary matter is eligible
327 for sealing under some other section of this chapter.

328 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
329 **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary**
330 **appropriation cannot be determined for periods of imprisonment in state adult correctional facilities;**
331 **therefore, Chapter 1 of the Acts of Assembly of 2026, Special Session I, requires the Virginia Criminal**
332 **Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the**
333 **Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for**
334 **periods of commitment to the custody of the Department of Juvenile Justice.**