

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: HB163

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Ransone

3. Committee: Courts of Justice

4. Title: Emergency custody and temporary detention; transportation and custody.

5. Summary: Amends several sections of the Code related to emergency custody and temporary detention of minors and adults. It provides that the provision of emergency medical treatment or evaluation may not toll the running of the time period of emergency custody. It also provides that emergency custody orders may not be extended, successive emergency custody orders may not be entered, and the subject of the order shall be released if no temporary detention order is issued. Additionally, magistrates may not issue temporary detention orders if there is no facility ready and able to accept the subject of the order. It also requires state facilities to take custody of such individuals immediately upon completion of transportation and arrival of the person at the facility; if the facility fails to do so, the temporary detention order is voided.

6. Budget Amendment Necessary: Indeterminate.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: According to the Department of State Police (VSP), there is no anticipated fiscal impact on agency operations as a result of the provisions of the proposed legislation. There is no anticipated fiscal impact on the Courts. The Department of Behavioral Health and Developmental Services is assessing the proposed legislation for fiscal impact. This impact statement will be updated when information becomes available. Any potential fiscal impact on local law enforcement agencies is indeterminate at this time.

9. Specific Agency or Political Subdivisions Affected: Department of Behavioral Health and Developmental Services, Department of State Police, Courts, Local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.