

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: HB110

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

2. Patron: McGuire

3. Committee: Committee on Public Safety

4. Title: Law-enforcement civilian oversight bodies; removes the authority of a locality to establish.

5. Summary: Under current law, law-enforcement civilian oversight bodies may (i) receive, investigate, and issue findings on complaints from civilians regarding conduct of law-enforcement officers and civilian employees; (ii) investigate and issue findings on incidents, including the use of force by a law-enforcement officer, death or serious injury to any person held in custody, serious abuse of authority or misconduct, allegedly discriminatory stops, and other incidents regarding the conduct of law-enforcement officers or civilian employees; (iii) make binding disciplinary determinations in cases that involve serious breaches of departmental and professional standards; (iv) investigate policies, practices, and procedures of law-enforcement agencies and make recommendations regarding changes to such policies, practices, and procedures; (v) review all investigations conducted internally by law-enforcement agencies and issue findings regarding the accuracy, completeness, and impartiality of such investigations and the sufficiency of any discipline resulting from such investigations; (vi) request reports of the annual expenditures of law-enforcement agencies and make budgetary recommendations; (vii) make public reports on the activities of the law-enforcement civilian oversight body; and (viii) undertake any other duties as reasonably necessary for the law-enforcement civilian oversight body to effectuate its lawful purpose to effectively oversee the law-enforcement agencies as authorized by the locality.

The proposed legislation removes the authority of a locality to establish a law-enforcement civilian oversight body by repealing § 9.1-601 from the Code of Virginia, and removes references to § 9.1-601 in §§ 9.1-507 and 15.2-1507.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary (see Item 8 below).

8. Fiscal Implications: The proposed legislation is not expected to have a fiscal impact on state agencies.

9. Specific Agency or Political Subdivisions Affected: The Department of Criminal Justice Services, local law-enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.