

Department of Planning and Budget 2022 Fiscal Impact Statement

1. **Bill Number:** SB389-H1

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. **Patron:** Ebbin

3. **Committee:** Courts of Justice

4. **Title:** Support of parents by child; repeal.

5. **Summary:** Repeals the provision of the Code of Virginia requiring an adult child to assist in providing for the support and maintenance of his or her parent, when such parent requires assistance. Under current law, failure to comply with this provision is punishable as a misdemeanor with a fine not exceeding \$500 or imprisonment in jail for a period not exceeding 12 months or both. An amendment adds a clause that would allow a debtor to exempt the reasonable expenses of such debtor used to provide support and maintenance to such debtor's mother or father, in any bankruptcy proceeding.

6. **Budget Amendment Necessary:** No.

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

8. **Fiscal Implications:** There is no readily available information to determine if this section of the Code of Virginia is currently being used or will be used in the future to offset state costs to provide assistance for these individuals; therefore, any potential fiscal impact is unknown.

Under current law, any person violating the provisions of an order entered pursuant to this section is guilty of a misdemeanor, and on conviction is punished by a fine not exceeding \$500 or imprisonment in jail. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. The Commonwealth currently pays the localities \$4.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. This proposal could reduce the number of offenders convicted of this crime. While this bill could potentially reduce the number of people sentenced to local or regional jails, any potential impact is indeterminate at this time. All revenue collected from fines are deposited into the Literary Fund. The fiscal impact as a result of the proposed legislation cannot be determined at this time.

9. **Specific Agency or Political Subdivisions Affected:** Juvenile and Domestic Relations Courts, Department of Medical Assistance Services, Department of Behavioral Health Services, Department of Social Services, Department of Aging and Rehabilitative Services

10. Technical Amendment Necessary: No.

11. Other Comments: None.