

## **Department of Planning and Budget 2022 Fiscal Impact Statement**

**1. Bill Number:** SB474S1

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

**2. Patron:** McClellan

**3. Committee:** Senate Committee on the Judiciary

**4. Title:** Appeal of unlawful detainer for indigent parties

**5. Summary:** The substitute bill amends § 8.01-129 (Appeal from judgment of general district court) to establish that, in accordance with the provisions of § 16.1-107 (requirements for appeal), when the appeal is taken by the defendant, he must give bond, in an amount and with sufficient surety approved by the judge or by his clerk if there is one, or in an amount sufficient to satisfy the judgment of the court in which it was rendered, including an award of attorney fees, if any. No indigent person will be required to post an appeal bond. Trial by jury must be had upon application of any party. For purposes of this subsection, "indigent" means that the defendant has been determined to be indigent pursuant to the guidelines set forth in § 19.2-159.

**6. Budget Amendment Necessary:** No

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

**8. Fiscal Implications:** According to the Office of the Executive Secretary of the Supreme Court, the substitute bill is not expected to have a material fiscal impact on agency operations.

**9. Specific Agency or Political Subdivisions Affected:** Courts

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None