

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: HB1354

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. Patron: Hudson

3. Committee: General Laws

4. Title: Virginia Freedom of Information Act; release of probation and parole records.

5. Summary: Current law allows the discretionary release of all records of adult persons under investigation or supervision by state probation and parole services in accordance with § 53.1-141 et seq. (divides the Commonwealth into probation and parole districts). This bill requires records of adult persons under investigation or supervision by state probation and parole services to be released, upon request, to any criminal justice agency located within the probation and parole district in which the public body that is the custodian of the requested records is located. The bill defines criminal justice agency as any: state or local public law-enforcement agency; sheriff's office; local and regional jail board; public, private, or nonprofit pretrial services agency; public, private, or nonprofit probation services agency; attorney for the Commonwealth; and community criminal justice board, as described in § 9.1-178.

6. Budget Amendment Necessary: Indeterminate

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

8. Fiscal Implications: This bill amends the Virginia Freedom of Information Act (FOIA) to require the release of certain probation and parole records upon request, instead of leaving release to the discretion of the Department of Corrections (DOC). DOC does not have data on the number of requests it receives for these records. However, according to DOC, the provisions of this bill may increase workloads depending on the volume of requests received. If additional staff are required, DOC estimates the annual cost of a full-time office services assistant at \$57,024 (salary and benefits).

9. Specific Agency or Political Subdivisions Affected: Department of Corrections

10. Technical Amendment Necessary: No

11. Other Comments: None