

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: SB1198

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

2. Patron: Petersen

3. Committee: General Laws and Technology

4. Title: Government Data Collection and Dissemination Practices Act; license plate readers.

5. Summary: Provides that absent a criminal or administrative warrant, law enforcement and regulatory agencies shall not use license plate readers to collect or maintain personal information in a manner where such personal information is of unknown relevance and will not be promptly evaluated and potentially used to investigate suspected criminal activity, civil or regulatory violations, or terrorism by any person. Under the provisions of the bill, law enforcement agencies cannot collect information from license plate readers without a warrant; however, any information collected from a license plate reader shall be retained for no more than seven days and shall not be subject to any outside inquiries or internal usage except for the investigation of a crime or a report of a missing person. Additionally, a law enforcement or regulatory agency shall not acquire personal information from any third party private vendor collected by such vendor from a license plate.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: There is no anticipated fiscal impact as a result of the provisions of this bill on the Department of State Police (VSP). There is also no anticipated fiscal impact on the Office of the State Inspector General (OSIG), the Division of Capitol Police (DCP), the Department of Corrections (DOC), or the Virginia Alcoholic Beverage Control Authority (ABC). According to the Department of Conservation and Recreation (DCR), any additional costs arising from this bill are likely to be negligible and can be absorbed within existing resources. Any potential fiscal impact on other state or local law enforcement agencies cannot be determined at this time. However, if additional information is made available by law enforcement agencies, the fiscal impact statement will be updated.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, Department of Motor Vehicles, Department of Corrections, Department of Juvenile Justice, Virginia Alcoholic Beverage Control Authority, Department of Conservation and Recreation, College and University Police Departments, Division of Capitol Police, Department of Wildlife Resources, Marine Resources Commission, Virginia Lottery, Office of the State Inspector General, Sheriff's offices, and local law enforcement agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.