

Department of Planning and Budget
2004 Fiscal Impact Statement

1. Bill Number HB 414

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Lewis

3. Committee Passed both houses

4. Title Possession of explosive materials by convicted felons

5. Summary/Purpose:

Under current law, it is a Class 6 felony for a convicted felon to possess or transport a firearm. The proposed legislation would expend the offense to include the possession or transportation of any explosive material.

6. Fiscal Impact Estimates are: Final. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

The Virginia Criminal Sentencing Commission has stated that the proposed legislation may result in an increase in the number of persons housed in state correctional facilities, but it cannot determine the possible extent of any impact, if any, due to the lack of information.

It is felt that this legislation would have little, if any, impact on the state's prison population. Under the current provisions of § 18.2-85 of the Code of Virginia, it is a Class 5 felony for any person to possess explosive materials with the intent to make fire bombs or explosive devices. Therefore, the only persons covered by the proposed legislation who would not be covered by the existing provisions of law would be convicted felons who possessed explosive materials to be used for lawful purposes.

9. Specific agency or political subdivisions affected: None.

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/24/04 / rwh

Document: G:\LEGIS\Fis-04\HB414ER.Doc Dick Hall-Sizemore