

**Department of Planning and Budget
2004 Fiscal Impact Statement**

1. Bill Number HB 79

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Wright

3. Committee Passed both houses

4. Title Possession of firearms by certain noncitizens

5. Summary/Purpose:

Under current law, it is a Class 6 felony for a person who is not a citizen and has not been lawfully admitted for permanent residence to possess or transport an assault firearm. The proposed legislation would expand this Class 6 felony provision to prohibit persons who are not citizens and who are not legally present in the country from possessing or transporting any firearm.

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

7. Budget amendment necessary: None.

8. Fiscal implications:

By creating a new felony offense, the proposed legislation may result in additional offenders being committed to local jails and state correctional facilities. However, because it is not feasible to estimate the number of criminal cases that may result if the legislation is enacted, the Virginia Criminal Sentencing Commission has concluded that it cannot determine the impact, if any, of the legislation.

9. Specific agency or political subdivisions affected:

Department of Corrections
Local and regional jails

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/30/04 / rwh

Document: G:\LEGIS\Fis-04\HB79ER.Doc Dick Hall-Sizemore

cc: Secretary of Finance