

## Department of Planning and Budget

### 2006 Fiscal Impact Statement

**1. Bill Number** HB1577-ER

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron** Cline

**3. Committee** Passed Both Houses

**4. Title** Concealed handgun permits; renewal thereof.

**5. Summary/Purpose:** The proposed legislation eliminates the ability of a locality to require an applicant for a concealed handgun permit to submit fingerprints as part of the renewal of an existing permit. It also modifies the current law provision that a court may disqualify an applicant from receiving a concealed handgun permit based upon specific acts that indicate that the applicant would use a weapon unlawfully or negligently by adding a disqualifying conviction and allowing the personal knowledge of a deputy sheriff, police officer or assistant Commonwealth's Attorney to be the basis for the specific acts alleged by the sheriff, chief of police, or Commonwealth's Attorney. Also, a permit holder who changes his address must notify the issuing court of his change of address within 30 days.

The bill provides a 90-day grace period for a member of the armed forces to renew his concealed handgun permit if the permit expired during an active-duty military deployment. Concealed handgun permits would also no longer have to be renewed every five years as the Virginia State Police will have to conduct a criminal background check on all valid concealed handgun permits annually.

The bill creates a Class 6 felony for any person who knowingly is in possession of a revoked concealed handgun permit while in possession of a concealed handgun.

This bill incorporates House Bills 167, 424, 769, 830, 1401, and 1578.

Per the second enactment clause, the 2007 Session of the General Assembly must provide an appropriation of funds for the purposes of this proposal for this act to become effective July 1, 2007.

**6. Fiscal Impact Estimates are:** FINAL; See item 8.

**7. Budget amendment necessary:** Yes. Per the second enactment clause in the proposal, an appropriation will be required in the 2007 session for this legislation to become effective.

**8. Fiscal implications:** According to the Department of State Police, the proposal increases the number national criminal background checks by approximately 123,000 each year. This continuing number of checks each year increases the department's workload. The agency estimates the general fund fiscal impact resulting from the proposed legislation at \$363,047 and five positions in fiscal year 2008 and \$235,807 and five positions in fiscal year 2009.

Also, the Virginia Criminal Sentencing Commission (VCSC) states that while the proposal's impact on state beds cannot be determined, it is likely to be small. As for local jails, the VCSC states the jail bed space needs may increase but the magnitude of the increase cannot be determined.

Although neither the House nor Senate submitted budget amendments providing additional appropriation to support the increase in costs to the agency, the proposal does include an enactment clause that stipulates the proposal will not become effective on July 1, 2007, unless the 2007 General Assembly provides an appropriation of funds for this purpose.

**9. Specific agency or political subdivisions affected:** Department of State Police.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 03/20/06 / jgc

**Document:** G:\2006\EFIS\Posted\HB1577ER.DOC

cc: Secretary of Public Safety