

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB835

House of Origin	<u>X</u>	Introduced	<u> </u>	Substitute	<u> </u>	Engrossed
Second House	<u> </u>	In Committee	<u> </u>	Substitute	<u> </u>	Enrolled

2. Patron: Moran

3. Committee: Courts of Justice

4. Title: Mental incompetence; firearms.

5. Summary: Provides that it is a Class 1 misdemeanor (a fine up to \$2,500 and/or up to 12 months in jail) for a person who has been adjudicated incompetent to stand trial to purchase, possess, or transport any firearm. The bill also requires the court to send to the Central Criminal Records Exchange orders finding that a defendant is incompetent to stand trial and orders for involuntary treatment.

6. Fiscal Impact Estimates: PRELIMINARY.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact due to the legislation at this time, the legislation is expected to result in an increase in the jail population. Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent FY2006 Jail Cost Report (November 1, 2007), the estimated total state support for local jails averaged \$28.42 per inmate, per day in FY 2006.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails, law enforcement agencies statewide, State Compensation Board.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/23/2008 dpb/jgc

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cc: Secretary of Administration
Secretary of Public Safety