

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: SB476-ER

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Hanger

3. Committee: Passed Both Houses

4. Title: **Concealed handguns; restaurants.**

5. Summary: Under present law a person with a concealed handgun permit is not allowed to carry a concealed handgun into a club or restaurant that serves alcoholic beverages. This legislation allows a person with a concealed handgun permit to carry a concealed handgun onto the premises of a restaurant or club but prohibits the person from consuming an alcoholic beverage while on the premises. A person who carries a concealed handgun onto the premises of such a restaurant or club and consumes alcoholic beverages is guilty of a Class 2 misdemeanor (up to 6 months in jail and/or up to \$1,000 fine). A person who becomes intoxicated while carrying a concealed handgun on the premises of such a restaurant or club is guilty of a Class 1 misdemeanor (up to 12 months in jail and/or up to \$2,500 fine).

6. Fiscal Impact Estimates: INDETERMINANT.

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 could 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: Restaurants and clubs statewide, local and state law enforcement, Compensation Board, local and regional jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

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