

## Department of Planning and Budget 2009 Fiscal Impact Statement

**1. Bill Number:** SB1257

House of Origin      X      Introduced                  Substitute                  Engrossed  
Second House                 In Committee              Substitute                  Enrolled

**2. Patron:** Marsh

**3. Committee:** Courts of Justice

**4. Title:** Transfer of firearms; criminal records check; penalties.

**5. Summary:** Adds a definition of "firearms show vendor" and requires that a criminal history record information check be performed on the prospective transferee before the vendor may transfer firearms at a gun show. Under current law, only licensed dealers must obtain such a check. The bill also adds a definition of "promoter" and requires that the promoter of a gun show provide vendors with access to licensed dealers who will conduct the criminal background check. Penalties for violating these provisions range from a Class 2 misdemeanor (maximum of 6 months in jail and up to a \$2,500 fine) up to a Class 5 felony (maximum of 1-10 years in prison and up to a \$2,500 fine).

**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 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 FY2007 Jail Cost Report (November 1, 2008), the estimated total state support for local jails averaged \$28.77 per inmate, per day in FY 2007.

According to the Department of State Police, the proposal is not expected to have a fiscal impact on the department.

According to the Virginia Criminal Sentencing Commission, the estimated amount of necessary appropriation cannot be determined for periods of imprisonment in state or local adult correctional facilities resulting from this legislation. The Commission is not expecting a fiscal impact for periods of confinement to the custody of the Department of Juvenile Justice.

**9. Specific Agency or Political Subdivisions Affected:** Local and regional jails, law enforcement agencies statewide, State Compensation Board, Departments of Correction and Juvenile Justice.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.

**Date:** 1/23/2009 dpb/jgc

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