

REVISED

**Department of Planning and Budget
2012 Fiscal Impact Statement**

1. Bill Number: SB612

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Black

3. Committee: Carried Forward

4. Title: Transfer of rifles and shotguns.

5. Summary: Removes the term “firearm” and inserts “handgun” to exclude rifles and shotguns from the existing criminal history background check mandate. New language is added allowing rifles and shotguns to be purchased from dealers by residents and non-residents of the Commonwealth and stipulates that only a National Instant Criminal Background Check System (NICS) check is required to be performed prior to the purchase, trade or transfer of firearms. The proposal requires the clerk of court to forward to the Central Criminal Records Exchange (CCRE) certification of any person adjudicated delinquent as a juvenile 14 years of age or older at the time of the offense which would be a felony if committed as an adult and certify and submit a copy of protective orders. The proposal also mandates the Attorney General to inform the United States Attorney General that Virginia law prohibits such persons from possessing or transporting a firearm. The fee for rifles and shotguns for residents (\$2) and non-residents (\$5) is eliminated.

6. Budget Amendment Necessary: Yes. Item 416.

7. Fiscal Impact Estimates: Preliminary; See Item 8 below.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2013	\$369,164	5.0	General Fund
2014	\$325,092	5.0	General Fund
2015	\$325,092	5.0	General Fund
2016	\$325,092	5.0	General Fund
2017	\$325,092	5.0	General Fund
2018	\$325,092	5.0	General Fund

8. Fiscal Implications: *This revised fiscal impact statement reflects the impact of a \$5 non-resident background check fee. The original submission only reflected a \$3 non-resident fee.*

According to the Department of State Police, the proposed legislation would have a fiscal impact which cannot be fully determined. The department is able to identify a fiscal impact of at least \$369,164 the first year and \$325,092 the second year. The identified costs include providing the department five positions (\$295,144 the first year and \$251,072 the second year) to review an estimated 2,400 juvenile records (approximately 1,900 felony convictions and approximately 500 misdemeanor convictions) each year. The department also anticipates higher annual postage costs (\$34,100) and form costs (\$700). In addition, the proposal removes the \$5 fee for rifle and shotgun background checks. Although the department cannot distinguish between handgun and rifle and shotgun background checks for residents, it can determine the number of non-resident rifle and shotgun background check fees collected (\$39,220 from 7,844 non-resident transactions in 2011). Revenue from residents and non-residents buying rifles and shotguns is used to support the firearms background check activity and any loss of revenue would need to be restored to continue the background check activity.

The anticipated cost, if any, to the circuit court clerks in providing juvenile information and protective orders to the CCRE and the Attorney General in notifying the United States Attorney General, is not known at this time.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, clerks of court statewide, Attorney General.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: January 31, 2012

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