

## Department of Planning and Budget 2014 Fiscal Impact Statement

**1. Bill Number: HB 257**

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

**2. Patron: Lingamfelter**

**3. Committee: House Courts of Justice**

**4. Title:**            Use of a firearm in the commission of a felony

**5. Summary:**

Under current law, it is a separate offense to use a firearm in the commission of certain violent felonies. The offense is punishable by a mandatory minimum sentence of three years for the first offense and a mandatory minimum sentence of five years for a second or subsequent offense.

The proposed legislation would increase the minimum mandatory sentences to four years for the first offense and six years for subsequent offenses.

**6. Budget Amendment Necessary:** Yes. Item 385.

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

**Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2014		
2015	\$1,162,299	General
2016	\$0	
2017	\$0	
2018	\$0	
2019	\$0	

**8. Fiscal Implications:**

By increasing existing mandatory minimum sentences for an existing offense, the proposed legislation is expected to result in an increase in the number of persons sentenced to prison. Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$1,162,299 (the highest annual cost over the next

six years). The amount is based on the projection that the legislation will result in 39 additional inmates being incarcerated in prison.

**9. Specific Agency or Political Subdivisions Affected:** Department of Corrections

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.

**Date:** 1/25/2013

**Document:** G:\LEGIS\fis-14\hb257.docx Dick Hall-Sizemore