

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: HB1327

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Edmunds

3. Committee: Courts of Justice

4. Title: Pneumatic guns on school property; penalty.

5. Summary: Includes pneumatic gun, defined as a gun that will expel a BB or a pellet by action of pneumatic pressure, in the list of weapons that are prohibited on school property, on property being used exclusively for school-sponsored functions or extracurricular activities, or on a school bus. Violation of this provision is punishable as a Class 6 felony.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or one to five years in prison. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities \$4.00 a day for each misdemeanor or otherwise local responsible prisoner held in a jail and \$12.00 a day for each state responsible inmate. It also funds a considerable portion 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 Jail Cost Report (November 2017), the estimated total state support for local jails averaged \$34.58 per inmate, per day in FY 2016.

According to the Virginia Criminal Sentencing Commission, there were no offenders who were convicted of felonies under the current provisions that were sentenced to prison. It concludes, therefore, that the proposed legislation is not expected to impact the state-responsible (prison) bed space needs during the six-year window specified by §30-19.1:4 of the Code of Virginia.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, Local and Regional jails.

10. Technical Amendment Necessary: None

11. Other Comments: None