

## Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number:** HB281

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

**2. Patron:** Price

**3. Committee:** Militia, Police and Public Safety

**4. Title:** Permission for juveniles to possess a firearm on parental property.

**5. Summary:** Requires any minor who possesses a firearm in the home or on the property of their parent, grandparent, or other legal guardian to have obtained prior permission from that person to possess a firearm on the property. Currently, it is a Class 1 misdemeanor for anyone under 18 to possess or transport a firearm, unless in his own home, on a parent's, grandparent's, or other guardian's property, or on the property of someone else with that person's permission.

**6. Budget Amendment Necessary:** No.

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

**8. Fiscal Implications:** The proposed legislation may increase the number of people convicted of a Class 1 misdemeanor. Also, because a third or subsequent weapons conviction is punishable as a Class 6 felony, this bill may increase the number of people who are convicted under that category.

Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 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 misdemeanant or otherwise local responsible prisoner held in a jail. It also funds a large 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.

**8. Specific Agency or Political Subdivisions Affected:** Department of Corrections; Local corrections; Community corrections; Department of Juvenile Justice.



**9. Technical Amendment Necessary:** No.

**10. Other Comments:** None.