

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: HB366E

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

2. Patron: Rush

3. Committee: Militia, Police and Public Safety

4. Title: Felons; restoration of firearms rights, report to State Police.

5. Summary: Provides a mechanism for reporting to the Department of State Police when a circuit court restores a felon's right to possess, transport, and carry a firearm, ammunition for a firearm, or a stun weapon. The bill provides that if a court enters an order restoring a felon's right, the order shall contain the felon's name and date of birth and the clerk of the court shall certify and forward the restoration order to the Central Criminal Records Exchange (CCRE). The bill provides that the Department of State Police, upon receipt of the restoration order, shall enter the felon's name and description in the CCRE so that law-enforcement personnel accessing the CCRE will be aware of the order's existence. The engrossed version of the bill requires that the provisions of the act shall become effective on July 1, 2019.

6. Budget Amendment Necessary: Yes. Item 419 of budget bill (HB30 and SB30).

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

8. Fiscal Implications: According to the Virginia State Police (VSP), in order to implement the provisions of this legislation they would need to modify the Computerized Criminal History (CCH) system. The CCH is a system that tracks all criminal cases and dispositions, and keeps the official record for the criminal data in the Commonwealth. The modifications would include additional functionality for restoration of firearms rights information on criminal records, data relating to the name of the court that has granted restoration rights, and the date of the court order. The one-time cost for the modification is estimated to be \$95,720. The introduced budget (HB30/SB30) provides authorization and nongeneral fund appropriation of \$4.1 million to VSP in order to update its CCH system over the biennium. The effective date of this legislation is July 1, 2019. Assuming the nongeneral fund appropriation of \$4.1 million is part of the approved budget, it is believed that the projected ongoing modification of the CCH could include the changes necessary to effectuate the provisions of the bill.

The agency anticipates an average of 120 new cases to be processed per month under this legislation. In order to manage the additional volume, the agency believes it will need one full time position to receive court orders, run criminal histories, and determine whether felony convictions exist in other states that would prohibit restoration, conduct follow-up

research, and enter the restoration information into the criminal record system. The estimated ongoing cost for this position is \$69,096.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, Courts

10. Technical Amendment Necessary: No.

11. Other Comments: The provisions of this act will become effective on July 1, 2019.