

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: HB717

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: Plum

3. Committee: Militia, Police and Public Safety

4. Title: Transfer of firearms; criminal history record information check; penalties.

5. Summary: Requires that vendors at gun shows request a criminal history record information check on any prospective transferee before a firearm may be transferred at a gun show. A violation is a Class 6 felony. The bill also requires that firearms show promoters post a notice of this requirement, and provide vendors with access to licensed dealers who may conduct the criminal history record check. The bill also repeals a provision added by the General Assembly in the 2016 Session that requires the Department of State Police (VSP) to be available to perform background checks for such non-dealer sales if requested by one of the parties involved in the transaction.

6. Budget Amendment Necessary: Yes. Item 391 of budget bill (HB30 and SB30).

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

8. Fiscal Implications: According to VSP, the provisions of this legislation are not expected to have a fiscal impact on agency operations.

This proposal could result in an increase in the number of persons sentenced to jail or prisons. 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 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.

Chapter 836 of the 2017 Acts of Assembly requires that a minimum impact of \$50,000 be assigned to this bill because the impact on state-responsible (prison) bed space cannot be determined due to insufficient data. The impact on the Department of Juvenile Justice and local correctional facilities cannot be determined.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.