

Department of Planning and Budget

2018 Fiscal Impact Statement

1. Bill Number: SB 669

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

2. Patron: Deeds

3. Committee: Passed both houses

4. Title: Access to firearms

5. Summary:

Under current law, it is a Class 1 misdemeanor for anyone who has been involuntarily admitted to a facility, ordered to mandatory outpatient treatment, or is the subject of a temporary detention order to purchase, possess, or transport a firearm. A third and subsequent conviction would be a Class 6 felony.

The proposed legislation would expand the prohibition to include minors 14 years of age or older who had been involuntarily admitted to a facility, ordered to mandatory outpatient treatment, or were the subject of a temporary detention order.

6. Budget Amendment Necessary: None.

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

8. Fiscal Implications:

Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. By expanding the prohibition against purchasing, possessing, or transporting firearms to include minors 14 years old or older who had been involuntarily committed to a facility, ordered to mandatory outpatient treatment, or were subject to a temporary detention order, the legislation could result in additional persons being confined in jails. According to the Virginia Criminal Sentencing Commission, not enough information is 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 varies from locality to locality.

The Virginia Criminal Sentencing Commission has concluded, pursuant to §30-19.1:4 of the Code of Virginia, that the legislation is not expected to increase the prison bed space needs of the Commonwealth.

9. Specific Agency or Political Subdivisions Affected:

Compensation Board
Local and regional jails

10. Technical Amendment Necessary: None.

11. Other Comments: None.