

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: HB1654

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Rasoul

3. Committee: Militia, Police and Public Safety

4. Title: Prohibition of carrying certain firearms in public places

5. Summary: Current law prohibits the carrying in certain locations of loaded firearms with high capacity magazines, silencers, or folding stock, or a loaded shotgun with a magazine that will hold more than seven rounds of the longest ammunition for which it is chambered. Any person violating these provisions is guilty of a Class 1 misdemeanor. This proposal would forbid the carrying of any loaded shotgun, regardless of its capacity, and adds loaded rifles to the list of prohibited weapons. The bill also adds the City of Roanoke to the list of cities in which the carrying of such firearms is prohibited.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. 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 2018), the estimated total state support for local jails averaged \$33.83 per inmate, per day in FY 2017.

The proposed legislation has the potential to increase the number of offenders convicted of a third qualifying offense, which would be punishable as a Class 6 felony with a sentence of up to one year in jail, or 1 to 5 years in prison. However, according to the Virginia Criminal Sentencing Commission, there have been no felony convictions that have resulted in state-responsible (prison) sentences. The Commission has therefore concluded that the proposal is not expected to impact state-responsible (prison) bed space needs.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails

10. Technical Amendment Necessary: No

11. Other Comments: None