

**Department of Planning and Budget  
2010 Fiscal Impact Statement**

**1. Bill Number:** HB1146

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

**2. Patron:**        Scott, J.M.

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

**4. Title:**        **Possession of firearms by certain persons who have had parental rights terminated; penalty.**

**5. Summary:** Prohibits a person who has had his parental rights terminated based upon a finding of aggravated circumstances from purchasing, possessing, or transporting a firearm. The bill defines aggravated circumstances as torture, chronic or severe abuse, or chronic or severe sexual abuse of a child of the parent or a child with whom the parent resided at the time such conduct occurred. A violation of this section would be a Class 1 misdemeanor.

**6. Fiscal Impact Estimates:** Preliminary; see Item 8 below.

**7. Budget Amendment Necessary:** No.

**8. Fiscal Implications:** Although insufficient data exists to determine the fiscal impact due to the legislation at this time, the legislation could result in an increase in the jail population since a Class 1 misdemeanor can result in a sentence of up to 12 months in jail (and \$2,500 fine). Any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities \$8.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds most 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 FY2008 Jail Cost Report (November 1, 2009), the estimated total state support for local and regional jails averaged \$32.66 per state inmate, per day in FY 2008.

**9. Specific Agency or Political Subdivisions Affected:** Law enforcement agencies statewide, local and regional jails.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.

**Date:** 2/8/2010 dpb/John Crooks

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