

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: SB334

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

2. Patron: Hanger

3. Committee: Courts of Justice

4. Title: **Concealed handguns; restaurants; penalty.**

5. Summary: Allows a person with a concealed handgun permit to carry a concealed handgun onto the premises of a restaurant or club and prohibits such person from consuming alcoholic beverages while on the premises. A person who consumes alcohol in violation of the provisions of the bill is guilty of a Class 2 misdemeanor and a person who becomes intoxicated in violation of the provisions of the bill is guilty of 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 how many of the 213,900 concealed handgun permit holders could violate the provisions of the proposed legislation, the legislation could result in an increase in the jail population since a Class 2 misdemeanor can result in a sentence of up to 6 months in jail (and \$1,000 fine) and 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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