

Department of Planning and Budget

2011 Fiscal Impact Statement

1. Bill Number: HB1699

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

2. Patron: Athey

3. Committee: House Committee on Militia, Police and Public Safety

4. Title: Restoration of firearms rights.

5. Summary: Requires that an audio tape or other recording be made of a hearing requested by a person to restore his right to possess or carry a firearm after being acquitted by reason of insanity, adjudicated legally incompetent or mentally incapacitated, or involuntarily committed for mandatory treatment. In addition, the bill defines "treatment record" and makes parallel the process for the request and conduct of a hearing to restore firearms rights under these circumstances.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Indeterminate (see Item 8)

8. Fiscal Implications: This bill "[r]equires that an audio tape or other recording be made of a hearing requested by a person to restore his right to possess or carry a firearm after being acquitted by reason of insanity, adjudicated legally incompetent or mentally incapacitated, or involuntarily committed for mandatory treatment."

These hearings take place in general district court and most of those courts lack their own recording equipment. While there are relatively few of these hearings per year, each general district court would need to have access to recording equipment, should the court need to conduct one of these hearings. Thus, there would be a fiscal impact to this bill for the acquisition of tape recorders and the provision of tapes.

Pursuant to Va. Code § 16.1-69.50, the fiscal impact of the acquisition of tape recorders would be borne by the localities, which are responsible for providing the equipment for the district courts. Pursuant to Va. Code § 16.1-69.51, the court system itself provides consumable supplies for the district courts, so the administrative office of the courts would provide the tapes. The cost of the tapes is expected to be negligible with no material fiscal impact on the court system.

9. Specific Agency or Political Subdivisions Affected: Courts, localities

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: January 20, 2011

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