

**Department of Planning and Budget
2011 Fiscal Impact Statement**

1. Bill Number: SB1395

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

2. Patron: McEachin

3. Committee: Courts of Justice

4. Title: Firearms; alcohol.

5. Summary: Provides that it is a Class 1 misdemeanor for a person who is under the influence of alcohol or illegal drugs to carry a loaded firearm in a public place and that a person found guilty is ineligible to apply for a concealed handgun permit for a period of five years. The bill also makes it a Class 2 misdemeanor for a person to carry a loaded firearm onto the premises of any restaurant or club licensed to sell and serve alcoholic beverages for on-premises consumption and consume an alcoholic beverage while on the premises.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact due to this proposal, the proposal could result in an increase in the jail population since Class 1 misdemeanor outcomes result in sentences of up to 12 months in jail (and a fine up to \$2,500) and Class 2 misdemeanor outcomes result in sentences of up to six months in jail (and a fine up to \$1,000). 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 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 FY2009 Jail Cost Report (November 1, 2010), the estimated total state support for local and regional jails averaged \$33.01 per state inmate, per day in FY 2009.

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

10. Technical Amendment Necessary:

11. Other Comments: Similar to HB 2343.

Date: 1/28/2011

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