

## Department of Planning and Budget 2012 Fiscal Impact Statement

**1. Bill Number:** SB648

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** McEachin

**3. Committee:** Courts of Justice

**4. Title:** Firearms; alcohol; penalties.

**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 on or about his person 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 creates a Class 2 misdemeanor for a person who carries a loaded firearm on or about his person 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. The bill contains technical amendments.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary; See item 8 below.

**8. Fiscal Implications:** Although insufficient data exists to determine the fiscal impact due to this proposal, the legislation could result in an increase in the jail population since Class 2 misdemeanor outcomes result in sentences of up to 6 months in jail (and a fine up to \$1,000) and Class 1 misdemeanor outcomes result in sentences of up to 12 months in jail (and a fine up to \$2,500). 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 FY2010 Jail Cost Report (November 1, 2011), the estimated total state support for local and regional jails averaged \$29.98 per state inmate, per day in FY 2010.

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

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

**11. Other Comments:** Identical to HB 1257.

**Date:** February 1, 2012

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