

Department of Planning and Budget 2014 Fiscal Impact Statement

1. Bill Number: HB 48

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

2. Patron: Simon

3. Committee: House Courts of Justice

4. Title: Possession of firearms

5. Summary:

The proposed legislation would make it a Class 6 felony for a person to knowingly and intentionally possess or transport any firearm or other deadly weapon if that person had been convicted within the previous five years of stalking, sexual battery, or assault and battery of a family or household member that resulted in serious bodily injury.

6. Budget Amendment Necessary: Yes. Item 385.

7. Fiscal Impact Estimates: Final. See Item 8 below.

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2015	\$50,000	General
2016		
2017		
2018		
2019		
2020		

8. Fiscal Implications:

For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years in prison. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Any increase in jail population will increase

costs to the state. The Commonwealth presently pays the localities \$4.00 a day for each misdemeanor or otherwise local responsible prisoner held in a jail and \$12.00 a day for each state responsible inmate. It also funds a considerable portion 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 most recent Jail Cost Report (November 2013), the estimated total state support for local jails averaged \$26.64 per inmate, per day in FY 2012.

Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded, pursuant to §30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. In such cases, Chapter 806 of the 2013 Acts of Assembly, requires that a minimum impact of \$50,000 be assigned to the bill.

9. Specific Agency or Political Subdivisions Affected:

Department of Corrections
Compensation Board
Local and regional jails

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/6/2014

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