

Department of Planning and Budget
2016 Fiscal Impact Statement

1. Bill Number: Hb 768

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

2. Patron: Gilbert

3. Committee: House Courts of Justice

4. Title: Firearms training for victims of domestic violence

5. Summary:

The proposed legislation would require the Department of Criminal Justice Services (DCJS) to reimburse any law-enforcement agency, institution of higher education, private or public institution or organization, or firearms training school for a firearms safety or training course or class provided to victims of domestic violence, sexual abuse, stalking, and family abuse. To qualify for the reimbursement, the entity providing the training would have to meet the following conditions:

- Provide the training at no cost to the victim;
- Be approved by DCJS; and
- Utilize instructors certified by the National Rifle Association or by DCJS.

Any reimbursement for such firearms safety or training course or class would be from the Virginia Sexual and Domestic Violence Victim Fund (“the Fund”). The legislation directs the Criminal Justice Services Board to establish the process for seeking reimbursement and authorizes it to impose limits on the amount of reimbursement that any entity may request.

In addition to approving firearms safety and training courses or classes and certifying firearms instructors, the legislation directs DCJS to disseminate a list of approved courses or classes. Furthermore, the legislation would require district and circuit courts, upon the issuance of a protective order, to provide the petitioner a list of the approved courses or classes.

6. Budget Amendment Necessary: Yes. Item 401.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2017	\$90,518	1.0	Sexual and Domestic Violence Victim Fund
2018	\$90,518	1.0	Sexual and Domestic Violence Victim Fund

2019	\$90,518	1.0	Sexual and Domestic Violence Victim Fund
2020	\$90,518	1.0	Sexual and Domestic Violence Victim Fund
2021	\$90,518	1.0	Sexual and Domestic Violence Victim Fund
2022	\$90,518	1.0	Sexual and Domestic Violence Victim Fund

8. Fiscal Implications:

The proposed legislation would have a fiscal impact in two areas: the need for additional staff at DCJS and a change in the method of distributing the revenue in the Fund. The first impact can be projected; the second one is indeterminate

To implement the proposed legislation, DCJS would have to undertake the following responsibilities: develop standards for a firearms safety course and a firearms training course; develop standards for certification of firearms instructor; develop and implement a process for approving firearms safety and training courses and classes; develop and implement a process for certifying firearms instructors; process applications for approval of firearms safety and training courses and classes; process applications for certification of firearms instructors; monitor approved firearms safety and training courses and classes to ensure they are operating according to standards; develop and implement process for reimbursing entities providing firearms safety and training courses to victims of domestic violence, sexual abuse, stalking, and family abuse; review requests for reimbursement to ensure that persons for which reimbursement is sought meet the statutory qualifications. To accomplish these tasks, DCJS will need an additional position.

The accepted method of funding the administrative costs of nongeneral fund grant programs is to use money from the special fund. The annual cost of the additional position that would be needed to implement the proposed legislation is shown in Item 7.

The source of revenue for the Fund is a \$2.00 fee assessed against persons convicted of misdemeanors and traffic infractions and collected as part of the court costs. The Fund is administered by DCJS and, by statute, is to be used to make additional money available to attorneys for the Commonwealth, law enforcement, or other programs, such as civil legal assistance, to hire additional personnel for prosecution or provide other services to aid victims of domestic violence, sexual violence, sexual abuse, stalking, and family abuse. In FY 2015, the revenue for the Fund was approximately \$2.8 million. DCJS spent or distributed \$2.7 million.

The proposed legislation would add another, required use of the money in the Fund. It is not possible to project how much will be needed to reimburse entities that provided firearms safety and training classes for eligible victims, but whatever is needed, as well as the

funding needed for the additional position described above, will have to be diverted from existing recipients and programs that benefit from the Fund

9. Specific Agency or Political Subdivisions Affected:

Department of Criminal Justice Services
Circuit and district courts
Magistrate offices
Local law enforcement agencies
Commonwealth's attorneys

10. Technical Amendment Necessary: None.

11. Other Comments: Identical to SB 656.

Date: 1/25/2016

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