

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: HB650

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

2. Patron: Murphy

3. Committee: Militia, Police and Public Safety

4. Title: One handgun purchase in a 30-day period.

5. Summary: This bill makes it a Class 1 misdemeanor for individuals to purchase more than one handgun within a 30-day period. Exemptions are as follows: (i) persons who have been issued a certificate by the Department of State Police under certain circumstances and with an enhanced background check, (ii) law enforcement agencies and officers, (iii) state and local correctional facilities, (iv) licensed private security companies, (v) persons who hold a valid Virginia concealed handgun permit, (vi) persons whose handgun has been stolen or irretrievably lost or who are trading in a handgun, (vii) purchases of handguns in a private sale, and (viii) purchases of antique firearms. This proposal would restore the limit on the handgun purchases to one per month, as well as the Class 1 misdemeanor for violation of the purchase limit, which were removed from the Code of Virginia by the 2012 General Assembly.

6. Budget Amendment Necessary: Yes. Item 422, Chapter 836.

7. Fiscal Impact Estimates: Preliminary. See Items 7a and 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2019	\$53,594	1	General Fund
2020	\$47,514	1	General Fund
2021	\$47,514	1	General Fund
2022	\$47,514	1	General Fund
2023	\$47,514	1	General Fund
2024	\$47,514	1	General Fund
2025	\$47,514	1	General Fund

8. Fiscal Implications: According to the Virginia State Police (VSP), it will need to modify the department's VCheck system to enable a restriction that limits individuals to purchasing one handgun every 30 days. It estimates a one-time cost for information technology update of \$6,080. VSP also anticipates hiring one additional person to receive and process applications for enhanced background checks. The annual salary and benefits for this position are estimated to be \$47,514.

This bill would also increase the number of individuals convicted of a Class 1 misdemeanor, which is punishable by up to 12 months' incarceration, and/or a fine up to \$2,500. Individuals who are convicted of this offense for the third time, and for subsequent convictions, will be found guilty of a Class 6 felony, which can have the same punishment as a Class 1 misdemeanor, or a person may receive between 1-5 years in prison. 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. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, 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 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 2017), the estimated total state support for local jails averaged \$34.58 per inmate, per day in FY 2016.

- 9. Specific Agency or Political Subdivisions Affected:** Department of State Police, Local law enforcement agencies, Department of Corrections, local and regional jails, and Department of Juvenile Justice.

- 10. Technical Amendment Necessary:** No.

- 11. Other Comments:** This bill is identical to HB353.