

## **Department of Planning and Budget**

### **2019 Fiscal Impact Statement**

**1. Bill Number:** HB2253E

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

**2. Patron:** Pogge

**3. Committee:** Militia, Police and Public Safety

**4. Title:** Nonresident concealed handgun permits; time of issuance.

**5. Summary:** Requires the Department of State Police to issue a concealed handgun permit to a nonresident within 90 days of receipt of the nonresident's completed application unless it determines that he is disqualified. If the Department has not issued the permit or determined that the applicant is disqualified in that time period, it shall certify on the application that the 90-day period has expired and shall mail or send via electronic mail a copy of the certified application to the applicant within five business days of the expiration of the 90-day period. The certified application shall serve as a de facto concealed handgun permit, which is effective for a period of 90 days after issuance, until the Department issues a permit or finds the applicant to be disqualified. The bill requires that if the applicant is found to be disqualified, he shall surrender the de facto permit to the Department and the disqualification shall be deemed a denial of the permit and the revocation of the de facto permit.

**6. Budget Amendment Necessary:** Indeterminate.

**7. Fiscal Impact Estimates:** Preliminary. See below.

**8. Fiscal Implications:** This bill requires the Department of State Police (VSP) to issue a concealed handgun permit to a nonresident within 90 days of receipt of the application. In 2017, VSP received a federal grant to automate many of the processes of its VCheck system, which is used to determine an applicant's eligibility to possess a firearm. It is estimated that this project will be complete by the end of calendar year 2019. Currently, VSP processes concealed weapons permits manually. This includes receipt and processing of paper applications, reviewing applications for completeness, processing payments, transmitting fingerprint cards, querying state and federal criminal history programs, analyzing records to determine eligibility, and creating and issuing permits.

Current turnaround times for the manual process are approximately 30 days for confirmation of payment and an additional 120-180 days for final determination of eligibility and issuance of a permit or a denial. Seven (six full-time and one part-time) employees are devoted to processing these applications currently. According to VSP, it receives approximately 7,262 applications from nonresidents per year on average. The proposed legislation requires VSP to issue a concealed handgun permit to a nonresident within 90 days of receipt of the nonresident's completed application unless it determines that person is disqualified. If VSP

has not issued the permit or determined that the applicant is disqualified within 90 days of the date of receipt noted on the application, the agency would be required to certify on the application that the 90-day period has expired and mail or send via electronic mail a copy of the certified application to the applicant within five business days of the expiration of the 90-day period. The certified application would serve as a de facto permit, which would expire 90 days after issuance, and be recognized as a valid concealed handgun permit.

According to VSP, they would need additional staff to process these applications within the timeframe set out in the provisions of the proposed legislation. However, is not feasible at this time to determine the precise staff level required to process these applications within 90 days. The ongoing cost for salary and benefits for a program support technician is \$70,086 (salary and benefits), and for a program support technician senior is \$72,902.

**9. Specific Agency or Political Subdivisions Affected:** Department of State Police

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

**11. Other Comments:** None.