

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: SB1163

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

2. Patron: Saslaw

3. Committee: Courts of Justice

4. Title: Prohibition on trigger activators to increase the rate of fire of firearms

5. Summary: Prohibits any person from manufacturing, importing, selling, offering for sale, possessing, transferring, or transporting in the Commonwealth a trigger activator, including a trigger crank or bump-fire device that is designed to increase the firing rate of a semi-automatic rifle, but does not convert the rifle to a machine gun. A violator of this Code section would be guilty of a Class 6 felony.

6. Budget Amendment Necessary: Yes, Item 391.

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

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2019	\$0		
2020	\$50,000	0	General
2021	\$0		
2022	\$0		
2023	\$0		
2024	\$0		
2025	\$0		

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. 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 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 2018), the estimated total state support for local jails averaged \$33.83 per inmate, per day in FY 2017.

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 2 of the 2018 Acts of Assembly, Special Session I requires that a minimum impact of \$50,000 be assigned to the bill. The impact on the Department of Juvenile Justice and local corrections could not be determined.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, Department of Juvenile Justice, and Local corrections

10. Technical Amendment Necessary: No.

11. Other Comments: None.