

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** HB1083 S1

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

**2. Patron:** Hayes

**3. Committee:** Committee on the Judiciary

**4. Title:** Allowing access to firearms by minors; penalty.

**5. Summary:** The substitute version of this bill would increase the penalty from a Class 3 misdemeanor to a Class 1 misdemeanor for any person who recklessly leaves a loaded, unsecured firearm in such manner as to endanger the life or limb of anyone under the age of 14.

**6. Budget Amendment Necessary:** No.

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

**8. Fiscal Implications:** Currently, it is a Class 3 misdemeanor for any person to recklessly leave a loaded, unsecured firearm in such a manner as to endanger the life or limb of any child under the age of 14. Class 3 misdemeanor is punishable by a fine of up to \$500.

The substitute bill would raise this penalty to a Class 1 misdemeanor, which is punishable by up to 12 months in jail a fine of not more than \$2,500, either or both. There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays the localities \$4.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. It also funds a large 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 2019), the estimated total state support for local jails averaged \$34.07 per inmate, per day in FY 2018.

**9. Specific Agency or Political Subdivisions Affected:** Local and regional jails, Courts, and Commonwealth's Attorneys.

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None