

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: SB71 ER

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

2. Patron: Lucas, L. L.

3. Committee: Passed both houses

4. Title: Firearms; possession on school property.

5. Summary: The bill amends §18.2-308 related to the possession of certain weapons on school property to include preschools and child day centers and religious preschools; however, the child day center provisions would only apply during the operating hours of such child day center or private or religious preschool. The conference amendment adds language specifying that the child day center under this chapter is “licensed in accordance with the provisions of Chapter 17 (§ 63.2-1700 et seq.) of Title 63.2.”

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Final (see Item 8 below).

8. Fiscal Implications: Currently, under §18.2-308, possessing certain weapons on school property or any school bus is a Class 1 misdemeanor. Possession of a firearm with the intent to use it or display a firearm in a threatening manner on school property is a Class 6 felony and carries a mandatory minimum of five- year sentence.

By expanding the applicability of existing offenses, the bill as proposed may increase the future state correctional beds needs. However, according to the Virginia Sentence Commission, in the six most recent fiscal years, no offender convicted of a felony under § 18.2-308.1(B) or § 18.2-308.1(C) as the primary or most serious offense, has received a state sentence. Therefore, the bill is not expected to impact state prison bed space needs during the six-year window specified under §30-19.1:4.

The fiscal impact on the Department of Juvenile Justice cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: None

10. Technical Amendment Necessary: No

11. Other Comments: None