

Department of Planning and Budget
2020 Special Session I - Fiscal Impact Statement

1. Bill Number: HB5024

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

2. Patron: Davis

3. Committee: Committee Referral Pending

4. Title: Firearm sales; criminal history record information check; penalty.

5. Summary: The proposed legislation eliminates the question on the form that is required to be completed by perspective purchasers of firearms asking if the purchaser has ever been the subject of a temporary detention order and subsequently agreed to a voluntary admission. The bill also eliminates the penalty for a person who willfully and intentionally purchases a firearm from another person without obtaining the required criminal history record information check, currently punishable as a Class 1 misdemeanor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See below.

8. Fiscal Implications: This bill eliminates a question on the form that is required to be completed by all perspective firearms purchasers that asks if they have ever been the subject of a temporary detention order and subsequently agreed to a voluntary admission. The bill also eliminates the Class 1 misdemeanor penalty for a person who willfully and intentionally purchases a firearm from another without obtaining the required criminal history record information check.

According to the Department of State Police (VSP), the proposed legislation would require revising the Virginia Firearms Transaction Record (SP-65) Form, which is completed by individuals at the time of firearms purchase. An initial package of the revised SP-65 form would need to be mailed to every firearms dealer registered with the State Police Firearms Transaction Center. The one-time cost to print and distribute the new forms is estimated to be \$14,086.47. According to VSP, the one-time cost can be absorbed within existing resources.

The bill also eliminates an existing Class 1 misdemeanor offense. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. There is not sufficient data to estimate projected savings associated with the elimination of the Class 1 misdemeanor offense.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, Local and regional jails, Commonwealth's Attorneys, Public Defenders, Courts.

10. Technical Amendment Necessary: No.

11. Other Comments: None.