

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: SB1381

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: Ebbin

3. Committee: Passed Both Houses

4. Title: Possessing or transporting a weapon within Capitol Square or into building owned or leased by the Commonwealth; penalty.

5. Summary: Makes it a Class 1 misdemeanor for a person to carry any firearm or explosive material within (i) the Capitol of Virginia; (ii) Capitol Square and the surrounding area; (iii) any building owned or leased by the Commonwealth or any agency thereof; or (iv) any building where employees of the Commonwealth perform their official duties. The bill provides exceptions for law-enforcement officers, court officers, authorized security personnel, active military personnel, and fire marshals with police powers while in the conduct of such person's official duties. An exception is also provided for and members of cadet corps recognized by a public institution of higher education while such member is participating in an official ceremonial event for the Commonwealth. An exception to carrying a firearm or explosive device in buildings owned or leased by the Commonwealth or buildings where employees of the Commonwealth perform their official duties is also provided for certain retired law-enforcement officers who are visiting a gun range owned or leased by the Commonwealth and any of the following employees when acting in the conduct of the employee's official duties: a bail bondsman as defined in § 9.1-185, an employee of the Department of Corrections or a state juvenile correctional facility, an employee of the Department of Conservation and Recreation, or an employee of the Department of Wildlife Resources; These provisions also do not apply to any individual carrying a weapon into a courthouse who is exempt under § 18.2-283.1; any property owned or operated by a public institution of higher education; or any state park. The bill requires that notice of the provisions prohibiting the carrying of such weapons be posted along the boundary of Capitol Square and the surrounding area and at each of the public entrances to Capitol Square and such buildings, parking lots, and parking structures. The bill also provides that any firearm carried in violation of these provisions is subject to seizure by a law-enforcement officer and forfeiture to the Commonwealth.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final, see Item 8.

8. Fiscal Implications: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than \$2,500, either or both.

According to the Virginia Criminal Sentencing Commission, not enough information is 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 misdemeanor 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 varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2020), the estimated total state support for local jails averaged \$34.59 per inmate, per day in FY 2019.

There may be some costs associated with the creation and posting of signage required by this bill, however, such costs are currently unknown.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails.

10. Technical Amendment Necessary: No.

11. Other Comments: The enrolled version of this bill is identical to HB2295, as enrolled.

Date: March 11, 2021
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