

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: HB2459

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: McGuire

3. Committee: Committee Referral Pending

4. Title: Firearm-free zones designated by the Commonwealth or a locality; waiver of sovereign immunity.

5. Summary: This bill requires that if the Commonwealth adopts any rule, regulation, or policy, or passes any law designating any property, or any part of such property, owned or occupied by it as a firearm-free zone, or if any locality adopts any ordinance, resolution or motion designating the locality, or any part of such locality, as a firearm-free zone, the Commonwealth or such locality waives its sovereign immunity as it relates to any injuries sustained by persons who are lawfully present in such firearm-free zone.

6. Budget Amendment Necessary: See Item 8

7. Fiscal Impact Estimates: Indeterminate; see Item 8.

8. Fiscal Implications: The proposed legislation would waive the sovereign immunity of the Commonwealth or of a locality that has designated any area within its bounds a firearm-free zone, as it pertains to persons who sustain injuries while lawfully present in such firearm-free zones. As a result, this bill would expose the Commonwealth and any localities to civil lawsuits pertaining to such injuries. It is unknown at this time what costs the Commonwealth and any localities would incur as a result of any lawsuits brought according to the provisions of this bill. Any potential fiscal impact is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Department of the Treasury, the Office of the Attorney General and Department of Law

10. Technical Amendment Necessary: No

11. Other Comments: None

1/31/2023