

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: SB805

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Amanda F. Chase

3. Committee: Judiciary

4. Title: Firearms; control by localities of possession or carrying.

5. Summary: Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit. The bill provides that any firearm received by the locality pursuant to a buy-back program shall be offered for sale by public auction or sealed bids to a person licensed as a dealer. Current law provides that any such firearm shall be destroyed by the locality unless the person surrendering the firearm requests in writing that the firearm be offered for sale. The bill also limits the authority of localities to bring lawsuits against certain firearms manufacturers and others and further provides that the right to bring any such action is reserved exclusively to the Commonwealth and shall be brought by the Attorney General.

6. Budget Amendment Necessary: Yes, See Item 8.

7. Fiscal Impact Estimates: Preliminary. Indeterminate – See Item 8.

8. Fiscal Implications: The Office of the Attorney General and Department of Law (OAG) indicates the fiscal impact of this legislation is indeterminate as it is unknown how many lawsuits will be brought by the OAG against firearm manufacturers. It is estimated the OAG will need at least one attorney and one legal secretary at a cost of \$236,877 per year.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/23/2023