

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: SB327H1

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

2. Patron: Salim

3. Committee: Public Safety

4. Title: Purchase of firearms; age requirement; penalty.

5. Summary: The proposal amends § 18.2-308.2:2, relating to the purchase of certain firearms. Under the proposal, a person must be 21 years of age or older to purchase an assault firearm. The purchaser must consent in writing to have the dealer obtain criminal history record information prior to completion of the sale or other such transfer, and the dealer must verify that the purchaser is at least 21 years of age. The proposal expands the definition of an assault firearm in § 18.2-308.2:2; it also modifies the definition of an assault firearm from a firearm equipped with a magazine that will hold more than 20 rounds to a firearm with a fixed magazine capacity in excess of 10 rounds.

6. Budget Amendment Necessary: Yes, Item 390 (DOC) and Item 415 (VSP).

7. Fiscal Impact Estimates: Preliminary, see Item 8 below.

8. Fiscal Implications: The Department of State Police (VSP), which oversees the Firearms Transaction Program, anticipates a fiscal impact as a result of the legislation. The agency believes it would need to update the agency's VCheck2 system to include the new age check requirement and certain exceptions outlined in the bill. The agency estimates a one-time cost of \$93,408 in general fund appropriation, which the agency believes existing resources can absorb.

This bill expands the potential applicability of existing felony offenses and creates a new felony offense, the proposal may increase the future state-responsible (prison) bed space needs of the Commonwealth. However, existing databases do not provide sufficient detail to estimate the number of new felony convictions likely to result from enactment of the proposal. Therefore, the magnitude of the impact on prison bed space needs cannot be quantified. Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded, pursuant to §30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. In such cases, Chapter 1, 2023 Acts of Assembly, Special Session I, requires that a minimum impact of \$50,000 be assigned to the bill.

Similarly, the proposal may increase local-responsible (jail) bed space needs; however, the magnitude of the impact cannot be determined. There is not enough information 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 \$5.00 a day for each misdemeanor or otherwise local-responsible prisoner held in a jail and \$15.00 a day for each state-responsible prisoner. It also funds a considerable portion of the jails' operating costs, e.g., correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2023), the estimated total state support for local jails averaged \$45.76 per inmate, per day in FY 2022.

- 9. Specific Agency or Political Subdivisions Affected:** Courts, Department of State Police, local law enforcement agencies, Department of corrections, Commonwealth's Attorneys, Office of Public Defenders, and local and regional jails.

- 10. Technical Amendment Necessary:** No.

- 11. Other Comments:** None.