

## **Department of Planning and Budget 2024 Session Fiscal Impact Statement**

**1. Bill Number:** SB522

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

**2. Patron:** Williams Graves

**3. Committee:** Courts of Justice

**4. Title:** Purchase of firearms; demonstrated competence with a firearm or completion of a firearms safety.

**5. Summary:** Requires that a prospective purchaser of a firearm present proof that such prospective purchaser has demonstrated competence with a firearm or completed a firearms safety or training course, as specified in the bill, within the past five years.

**6. Budget Amendment Necessary:** Yes, Item 390 (DOC) and Item 391 (DCJS)

**7. Fiscal Impact Estimates:** Preliminary (see Item 8 below).

**8. Fiscal Implications:** The bill offers various options for the prospective purchaser to demonstrate competence with a firearm or complete a firearms safety or training course.

**Department of Criminal Justice Services (DCJS):**

The bill allows an individual to complete a training course certified or approved by DCJS. It also requires that a person may participate in any in-person firearms training or safety course or class conducted by a state-certified or by a firearm instructor approved by DCJS. The bill does not require DCJS to be responsible for conducting the firearms safety and training course, and the agency is not currently part of the firearm purchase process.

At this time, it is unknown how many courses DCJS would certify or approve, as well as the number of instructors that would require approval by the agency within the period specified in the bill. If the intent of the bill is for DCJS to develop a civilian-focused firearms safety training framework in order to approve courses and criteria for certification of training instructors, DCJS believes it will need additional resources. The estimated general fund annual cost for a criminal justice analyst is \$108,750 (including benefits).

**Department of Wildlife Resources:**

According to DWR, any fiscal impact to the agency would be nominal and absorbable.

**Virginia State Police (VSP)**

According to VSP, no material fiscal impact is expected as a result of the proposed legislation.

The proposal legislation adds requirements for purchasing firearms that could potentially result in more felony violations of § 18.2-308.2:2 (criminal history record information check required for the transfer of certain firearms). In addition, offenders convicted of any of the proposed Class 1 misdemeanor offenses could, in the future, be convicted of a Class 6 felony under § 18.2-311.2 (third conviction of firearm offenses) if they accumulate three or more misdemeanor weapon convictions. 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. As a result, 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.

By expanding the applicability of existing offenses, the proposal may increase local-responsible (jail) bed space needs; however, the magnitude of the impact cannot be determined. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays the localities \$5.00 a day for each misdemeanant 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:** Department of Criminal Justice Services, Virginia State Police, Department of Wildlife Resources, Courts, Department of Corrections, local and regional jails, local law enforcement agencies, Commonwealth's Attorneys, Office of the Public Defender.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.