

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB426

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

2. Patron: Simon

3. Committee: Committee Referral Pending

4. Title: Prohibited public carrying of certain firearms; penalty.

5. Summary: Prohibits the carrying of any loaded shotgun or rifle in places open to the public in certain cities and counties in the Commonwealth. Current law prohibits the carrying of a shotgun that holds more than seven rounds of ammunition, and does not prohibit the carrying of a loaded rifle. The bill also eliminates a current exception to the prohibition on carrying such loaded firearms for persons who have a valid concealed handgun permit. Any violation of this section is a Class 1 misdemeanor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See below.

8. Fiscal Implications: This bill prohibits the carrying of a loaded shotgun or rifle in certain localities. A violation of this section is a Class 1 misdemeanor. Additionally, a third or subsequent violation of this section is punishable as a Class 6 felony, pursuant to § 18.2-311.2. Therefore, this bill could result in additional individuals in jail or prison.

Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to 12 months in jail, or one to five years in prison. 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 \$4.00 a day for each misdemeanant 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 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 2019), the estimated total state support for local jails averaged \$34.07 per inmate, per day in FY 2018.

According to an analysis of data by the Virginia Criminal Sentencing Commission, no offenders who were convicted of a felony under § 18.2-311.2 for a third or subsequent weapon offense received an active prison term for the time period studied (FY2014-2019). The Commission has determined that this proposal is not anticipated to impact the state-

responsible (prison) bed space needs of the Commonwealth, and has estimated a \$0 fiscal impact on the Department of Corrections (DOC).

Any fiscal impact on local and regional jails or the Department of Juvenile Justice (DJJ) is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, Local and regional jails, Department of Juvenile Justice.

10. Technical Amendment Necessary: No.

11. Other Comments: None.