# Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

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#### ORIGINAL

Bill Number:HB1597Patron:FeggansBill Title:Firearms; secure storage, penalties.

**Bill Summary:** Creates a Class 4 misdemeanor for any person who fails to securely store a firearm on any premises where such person knows, or reasonably should know, that a minor or a person who is prohibited by law from possessing a firearm is, or is likely to be, present. The bill increases the penalty to a Class 1 misdemeanor if a minor or a person who is prohibited by law from possessing a firearm obtains such firearm and to a Class 5 felony if such possession of the firearm results in a crime or injury. The bill includes certain exceptions and requires firearms dealers to post a notice stating firearm storage requirements and the penalty for improperly storing such firearms. The bill also creates a Class 4 misdemeanor if another person obtains such firearm, and a Class 5 felony if such possession results in injury to the person obtaining the firearm or to another. Finally, the bill requires the Superintendent of State Police, in conjunction with the Commissioner of Health, to create a public awareness campaign on the importance of the secure storage of firearms by January 1, 2026.

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Budget Amendment Necessary:YesItems Impacted:Explanation:See below

#### **Fiscal Summary:**

Proposal requires minimum "Woodrum" impact funding per § 30-19.1:4, Code of Virginia, to account for a possible increase in the need for state prison beds due to this legislation. No information is presently available to estimate the cost of a public awareness campaign.

#### **General Fund Expenditure Impact:**

Agency	FY2025	FY2026	<u>FY2027</u>	<u>FY2028</u>	FY2029	<u>FY2030</u>
Dept. of Corrections		\$50,000				
TOTAL						

#### **Fiscal Analysis:**

Anyone convicted of a Class 4 misdemeanor is subject to a fine of up to \$250. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than \$2,500, either or both. Anyone convicted of a Class 5 felony is subject to a term of imprisonment of not less than one year nor more than 10

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years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or 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 \$5.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail and \$15.00 a day for each stateresponsible 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 2024), the estimated total state support for local jails averaged \$56.38 per inmate, per day in FY 2023.

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 2, 2024 Acts of Assembly, Special Session I, requires that a minimum impact of \$50,000 be assigned to the bill.

The proposal requires the Superintendent of State Police, in conjunction with the Commissioner of Health, to create a public awareness campaign on the importance of the secure storage of firearms by January 1, 2026. The potential cost of a public awareness campaign is presently indeterminate.

Other: None