

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

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**ORIGINAL**

**Bill Number:** SB1397 **Patron:** Peake  
**Bill Title:** Possession or transportation of firearms, firearms ammunition, stun weapons, explosives or concealed weapons by persons adjudicated delinquent; penalty.

**Bill Summary:** Provides that the prohibition on the possession and transportation of firearms and ammunition by convicted felons applies to persons previously adjudicated delinquent. The bill requires that persons who were previously adjudicated delinquent of a violent felony are subject to a mandatory minimum term of imprisonment of five years and two years for any other felony within the prior 10 years.

**Budget Amendment Necessary:** Yes **Items Impacted:** Item 390  
**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.

**General Fund Expenditure Impact:**

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

**Fiscal Analysis:**

This proposal amends § 18.2-308.2 to specify that individuals who possess a firearm and who were previously adjudicated delinquent of a violent felony are subject to the mandatory minimum term of five years; and individuals who possess a firearm and who were previously adjudicated delinquent of any other felony within the prior 10 years are subject to the mandatory minimum term of two years.

By expanding the applicability of mandatory minimum penalties, this proposal could result in an increase in the number of persons sentenced to prison.

The Virginia Criminal Sentencing Commission does not expect this proposal to increase the local-responsible (jail) population.

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

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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.

**Other:** None