

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

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ORIGINAL

Bill Number: SB1182S3 **Patron:** Deeds
Bill Title: Carrying a firearm or explosive material within Capitol Square or building owned or leased by the Commonwealth; exemptions; public institutions of higher education; penalty.

Bill Summary: The third substitute bill permits the governing board of a public institution of higher education to adopt a policy prohibiting the carrying of any firearm within any building owned or operated by such public institution of higher education.

Budget Amendment Necessary: Yes, Department of Corrections **Items Impacted:** Item 390

Explanation: This bill may increase the prison population. The Virginia Criminal Sentencing Commission (VCSC) has concluded that an impact on prison bed space cannot be determined, therefore, Chapter 2, 2024 Acts of Assembly, Special Session I, requires a minimum impact of \$50,000 be assigned to the bill.

Fiscal Summary: This bill could increase the prison population by expanding the scope of a Class 1 misdemeanor. Offenders convicted of three or more Class 1 misdemeanors who accumulate three or more weapon convictions may be found guilty of a Class 6 felony. As a result, this bill could lead to an increase in the number of persons sentenced to jail or prison. VCSC has concluded that an impact on prison bed space cannot be determined, therefore, Chapter 2, 2024 Acts of Assembly, Special Session I, requires a minimum impact of \$50,000 be assigned to the bill.

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>
Department of Corrections	\$50,000					
TOTAL	\$50,000					

Fiscal Analysis:

The bill authorizes additional restrictions to possess weapons at a public institution of higher education, therefore it potentially expands the applicability of the existing Class I misdemeanor. Additionally, offenders

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that are convicted three or more Class I misdemeanors who accumulate three or more weapon convictions could be found guilty of a Class 6 felony.

Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison. 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. 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 localities \$5.00 a day for each misdemeanor 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 2024), the estimated total state support for local jails averaged \$56.38 per inmate, per day in FY 2023.

For someone convicted of a Class 6 felony, a judge has the option of sentencing the offender to a term of imprisonment of not less than one year nor more than five 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.

Due to the lack of data, the VCSC 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. That appropriation shall be provided under the Department of Corrections in Item 390 of the Appropriations Act.

Other: This bill is a companion to HB1876 and is similar to SB383 in the 2024 legislative session, which was vetoed by the Governor. The third substitute is most similar to the first substitute of this bill offered in the Senate Courts of Justice committee.