

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

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.

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 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 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: The enrolled bill is identical to the House substitute bill for HB1876 and is similar to SB383 in the 2024 legislative session, which was vetoed by the Governor.