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

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Bill Number: SB848ER **Patron:** Salim Purchase of certain firearms; age requirement; penalty.

Bill Summary: Prohibits any person under 21 years of age from purchasing a handgun or assault firearm, with exceptions for the purchase of an assault firearm by a law-enforcement officer, correctional officer, jail officer, or member of the Armed Forces of the United States, the Virginia National Guard, or the National Guard of any other state. Accordingly, the bill prohibits a licensed dealer from selling, renting, trading, or transferring from his inventory a handgun or assault firearm to any person under 21 years of age. A violation of either prohibition is a Class 6 felony. The bill also expands the definition of "assault firearm" as the term applies to criminal history record information checks.

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				
TOTAL						

Fiscal Analysis: The proposal amends § 18.2-308.2:2, relating to the purchase of certain firearms. Under the proposal, a person must be 21 years of age or older to purchase an assault firearm. The proposal would expand the potential applicability of several existing felony offenses, including Class 4, 5, and 6 felony offenses, whose penalties are noted in the next paragraph.

For Class 4 felonies, a term of imprisonment of not less than two years nor more than 10 years and, subject to a fine of not more than \$100,000. For Class 5 felonies, a term of imprisonment of not less than one year nor more than 10 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. For Class 6 felonies, 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. As such, this proposal could result in an increase in the jail and prison populations.

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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 state-responsible 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 Department of State Police does not anticipate a fiscal impact as a result of this legislation.

Other: None