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

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Bill Number: HB1977ER Patron: Hernandez

Bill Title: Weapons; possession prohibited in a hospital that provides mental health services or

developmental services; penalty.

Bill Summary: Makes it a Class 1 misdemeanor for any person to intentionally and knowingly possess in the building of any hospital that provides mental health services or developmental services in the Commonwealth, including an emergency department or other facility rendering emergency medical care, a (i) firearm, (ii) knife with a blade over three and one-half inches, or (iii) other dangerous weapon, including explosives and stun weapons. The bill also provides that notice of such prohibitions shall be posted conspicuously at the public entrance of any hospital and no person shall be convicted of the offense if such notice is not posted, unless such person had actual notice of the prohibitions. The bill provides that any such firearm, knife, explosive, or weapon shall be subject to seizure by a law-enforcement officer and forfeited to the Commonwealth and specifies exceptions to the prohibition.

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> | FY2025 | FY2026 | <u>FY2027</u> | <u>FY2028</u> | FY2029 | FY2030 |
|------------------------|--------|----------|---------------|---------------|--------|--------|
| Dept of Corrections | | \$50,000 | | | | |
| | | | | | | |

Fiscal Analysis:

TOTAL

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 third or subsequent Class I misdemeanor because of this new provision could be convicted of a Class 6 felony and be subject to a sentence of one to five years in prison, or up to 12 months in jail and a fine of not more than \$2,500, either or both. Therefore, the proposal

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may increase the number of individuals in jails and the future state-responsible (prison) bed space needs of the Commonwealth.

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.

Other: Companion to SB1110