

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

By expanding the applicability of existing Class 6 felonies, the proposal may increase the future state-responsible (prison) bed space needs of the Commonwealth. Anyone convicted of a Class 6 felony is subject 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. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

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 misdemeanor 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

This proposal adds a five-day waiting period to the purchase of firearms. Virginia State Police (VSP), which oversees the Firearm Transaction Program, will need to modify the Department's Firearms Purchase Background Check System (VCHECK2) to indicate a five-day delay in the transfer of a firearm from a firearms dealer or private sale. VSP estimates that IT updates to VCHECK2 will cost \$71,360. Although VSP could potentially absorb this cost with existing resources, there are a number of bills that if passed would increase the cost for updating the Department's VCHECK2 system that VSP could not easily absorb; thus, this cost is noted in the table above as a possible budget amendment

Other: Companion to SB891