

Department of Planning and Budget
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State Fiscal Impact Statement

which could involve time in prison. 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.

The proposal requires the Superintendent of State Police, in conjunction with the Commissioner of Health, to create a public awareness campaign on the importance of the secure storage of firearms by January 1, 2026. The agencies are required to use such funds as are available for the campaign, so any dollar amount that might be available in the agencies' budgets or provided by the General Assembly is indeterminate.

The proposal requires that if an individual is to store a firearm loaded, in their residence with a minor or person who is prohibited by law from possessing a firearm, it must be stored in a biometric storage device. For law enforcement officers of state agencies who carry a state-issued firearm, there are three key components that are unknown: the number of law enforcement officers who utilize a storage device already, how many law enforcement officers store their firearms loaded when off-duty, and how many law enforcement officers have a minor or a person who is prohibited by law from possessing a firearm in their residence. Therefore, the total fiscal impact on such state agencies can only be determined if the agencies assess each individual practice of its employees who carry a firearm. Any impact on local law enforcement is also indeterminate.

There are various state agencies that have law enforcement officers who carry a state issued firearm, including but not limited to, the Virginia State Police, the Department of Corrections (DOC), Higher Education Campus Police Departments, the Alcoholic Beverage Control Authority (ABC), the Department of Wildlife Resources (DWR), and the Marine Resources Commission (MRC).

According to the Joint Legislative Audit and Review Commission (JLARC), State law does not require that VSP sworn officers store their loaded service firearms in their residence, but in practice, VSP encourages officers to keep their service pistols loaded and immediately accessible when officers are off duty, including in their residence.

Regarding the storage of firearms in vehicles, this proposal requires weapons must be stored in a container that is fully enclosed; opaque; locked by a padlock, key lock, combination lock, or other similar locking device

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that renders the firearm inaccessible to anyone other than its owner or another authorized user. According to VSP, apart from the few vehicles assigned to the Department's Special Operations Division, the firearms locking devices installed in patrol vehicles will not meet the mandates of this proposal. Although the weapons are securely locked, they are not in an "opaque" container. In addition to the cost of purchasing new lockers for these vehicles, there may be additional costs for reconfiguration of rear cargo area of the agency's vehicles as the identified gun lockers may not fit into the present configuration. These potential costs are presently indeterminate.

Other: None