

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB7

Patron: Jones

Bill Title: Law-enforcement officers; restrictions on wearing of facial coverings, exceptions, civil liability.

Bill Summary: Prohibits certain state and federal law-enforcement officers from wearing facial coverings, defined in the bill, while engaged in the performance of their official duties. The bill sets out several exceptions to such prohibition, including protective facial coverings to protect against disease, infection, and exposure to toxic substances and facial coverings worn by any law-enforcement officer assigned to a special weapons and tactics team while engaged in the performance of his official duties with such team. The bill subjects the law-enforcement officer to disciplinary action, including dismissal, demotion, suspension, transfer, or decertification, and creates a Class 1 misdemeanor for any law-enforcement officer who wears a facial covering in violation of the provisions of the bill unless the law-enforcement agency that employs such law-enforcement officer has adopted and established a written policy for and restrictions on the use of facial coverings. The bill also directs the Department of Criminal Justice Services to develop a model policy for and restrictions on the use of facial coverings by law-enforcement officers. Finally, the bill creates a civil cause of action for any person injured as a result of tortious conduct by a law-enforcement officer who knowingly and intentionally wears a facial covering in violation of the provisions of the bill. The bill provides that sovereign immunity shall not be a defense to civil liability for such tortious conduct.

Budget Amendment Necessary: No

Items Impacted: N/A

Explanation: N/A

Fiscal Summary: The proposed legislation is not expected to have a material fiscal impact on state agencies. Proceeds of all fines and penalties collected for offenses committed against the Commonwealth are paid into the state treasury to the credit of the Literary Fund. There is an indeterminate amount of possible revenue from fines to the Literary Fund.

Fiscal Analysis: According to the Department of Criminal Justice Services (DCJS) and the Department of State Police (VSP), the proposed legislation is not expected to have a material fiscal impact on agency operations. The bill directs DCJS to develop a model policy for and restrictions on the use of facial coverings by law-enforcement officers, however, it is expected that any associated cost can be absorbed with existing resources. If additional legislation is passed that requires model policy development, then the agency may expect a fiscal impact.

The bill also creates a Class 1 misdemeanor. 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.

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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 localities \$5.00 a day for each misdemeanor 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 2025), the estimated total state support for local jails averaged \$58.25 per inmate, per day in FY 2024.

Other: None