

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

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ORIGINAL

Bill Number: HB1082

Patron: Walker

Bill Title: Crimes by gangs; definition of "predicate criminal act"; penalties.

Bill Summary: Adds the misdemeanor and felony offenses of carrying a concealed weapon and the misdemeanor offense of pointing, holding, or brandishing a firearm, air or gas operated weapon, or object similar in appearance to the definition of "predicate criminal act" related to prohibited criminal street gang participation.

Budget Amendment Necessary: Yes

Items Impacted: Item 390

Explanation: See below

Fiscal Summary:

Proposal requires "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:

Agency	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
Department of Corrections		\$520,889				
TOTAL		\$520,889				

Fiscal Analysis:

This proposal expands the list of predicate crimes that trigger felony penalties for several gang related crimes. Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission (VCSC) estimates a fiscal impact of \$520,889 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in nine additional offenders being incarcerated in prison. This is a minimum estimate, as this figure does not include the impact the proposal may have on gang recruitment offenses under § 18.2-46.3; the data are insufficient to estimate the impact of that aspect of the proposal.

The VCSC also estimates the legislation will increase the jail population by one partial bed by FY2032 at a state cost of \$2,557 and local cost of \$3,974. 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

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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: Companion to SB307.