

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

PUBLISHED: 1/29/2026 10:38 AM

ORIGINAL

Bill Number: HB871

Patron: Downey

Bill Title: Storage of firearms in a residence where a minor or person prohibited from possessing a firearm is present; penalty.

Bill Summary: Requires any person who possesses a firearm in a residence where such person knows that a minor or a person who is prohibited by law from possessing a firearm is present to store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. The bill provides that a violation is a Class 4 misdemeanor. The bill exempts (i) any person in lawful possession of a firearm who carries such firearm on or about his person and (ii) the storage of antique firearms and provides that the lawful authorization of a minor to access a firearm is not a violation of the bill's provisions. The bill also requires firearm dealers to post a notice stating such firearm storage requirements and the penalty for improperly storing such firearms.

Budget Amendment Necessary: No

Items Impacted: None

Explanation: See below.

Fiscal Summary:

This bill requires biometric storage devices for the storage of any loaded firearm in a residence with a minor or a person who is prohibited by law from possessing a firearm is present. This would include any law enforcement officer who has a loaded service weapon in their residence. At this time, the total fiscal impact on the state cannot be determined without further information.

Fiscal Analysis:

The bill 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 biometric 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 (VSP), 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

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

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 do so.

A Class 4 misdemeanor is punishable by a fine of up to \$250. These offenses do not carry jail time. All revenue collected from such fines is deposited into the Literary Fund. However, it is not possible to estimate either the number of convictions that may result or the amount of each fine that may be assessed under this legislation. Therefore, the impact of this bill cannot be determined.

Other: Companion to SB348