



Fiscal Impact Statement for Proposed Legislation

Virginia Criminal Sentencing Commission

House Bill 1525 (Patron - McGuire)

LD#: 26106114

Date: 01/29/2026

Topic: Limitations on firearms purchase and possession

Fiscal Impact Summary:

- **State Adult Correctional Facilities:**
\$50,000 *
- **Local Adult Correctional Facilities:**
Cannot be determined
- **Adult Community Corrections Programs:**
Cannot be determined

- **Juvenile Correctional Centers:**
Cannot be determined **
- **Juvenile Detention Facilities:**
Cannot be determined **

** Provided by the Department of Juvenile Justice

* The estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 725 of the Acts of Assembly of 2025, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000.

Pursuant to § 30-19.1:4, fiscal impact statements prepared by the Virginia Criminal Sentencing Commission only include the estimated increase in operating costs associated with additional state-responsible prison beds and do not reflect any other costs or savings that may be associated with the proposed legislation.

Summary of Proposed Legislation:

Under current law, it is a Class 1 misdemeanor for any person under 18 years of age to possess or transport a handgun or assault firearm in the Commonwealth. Exceptions apply when the person is in their home or on their own property; on the property of a parent, grandparent, or legal guardian; or on the property of another person with the property owner's prior permission and the consent of a parent or legal guardian. Additional exceptions include possession or transportation while traveling to or participating in a shooting range or firearms education class, while engaged in hunting or traveling to a hunting area, or while performing official duties as a member of the United States Armed Forces or the National Guard.

The proposal expands § 18.2-308.7 to prohibit any person under 21 years of age from purchasing, possessing, or transporting a handgun or assault firearm. This prohibition does not apply when the firearm is used in the residence or on the property of a parent, grandparent, or legal guardian during a lawful act of self-defense or defense of another, or when the individual is at a firearms education class, shooting range, or hunting area while accompanied by an adult.

A third or subsequent violation under § 18.2-311.2, including a violation of this provision, is punishable as a Class 6 felony.

Analysis:

Existing databases do not provide sufficient detail to identify the number of new convictions likely to result from enactment of the proposal.

According to fiscal year (FY) 2020 through FY2025 General District Court Case Management System (CMS) data, there were two convictions for the Class 1 misdemeanor under § 18.2-308.7. In both cases, the offenders received no incarceration.

According to Circuit Court CMS data for the same six-year period, there were no convictions for a third or subsequent violation of § 18.2-308.7.

Offenders convicted of the affected Class 1 misdemeanor who accumulate three or more weapon convictions could be found guilty of a Class 6 felony under § 18.2-311.2. According to Circuit Court CMS data for the same six-year period, 12 offenders were convicted of a felony under § 18.2-311.2 for a third or subsequent weapon offense. The felony violation of § 18.2-311.2 was the primary, or most serious, offense for six offenders; of these, one offender (16.7%) did not receive an active term of incarceration to serve after sentencing, two offenders (33.3%) were given jail terms of 6 and 11 months, and the remaining three offenders (50.0%) received state-responsible (prison) terms of 1 year, 1.3 years, and 1.5 years.

Impact of Proposed Legislation:

State adult correctional facilities. Because expands the potential applicability of an existing felony offense, the proposal may increase the future state-responsible (prison) bed space needs of the Commonwealth. However, existing databases do not provide sufficient detail to estimate the number of new felony convictions likely to result from enactment of the proposal. Therefore, the magnitude of the impact on prison bed space needs cannot be quantified.

Local adult correctional facilities. Similarly, the proposal may increase local-responsible (jail) bed space needs; however, the magnitude of the impact cannot be determined.

Adult community corrections resources. Because the proposal could result in convictions and subsequent supervision requirements for an additional number of offenders, the proposal may increase the need for adult community corrections resources. Since the number of cases affected cannot be determined, the potential impact on community corrections cannot be quantified.

Virginia's Sentencing Guidelines. The Class 6 felony for a third or subsequent violation of Articles 4, 5, 6, or 7 of Chapter 7 of Title 18.2 is not currently covered by the Sentencing Guidelines. Such convictions, however, may augment the Guidelines recommendation if the most serious offense at sentencing is covered by the Guidelines. The felony is not defined as violent under § 17.1-805(C) for Guidelines purposes. No adjustment to the Guidelines would be necessary under the proposal.

Juvenile correctional centers. According to the Department of Juvenile Justice, the impact of the proposal on direct care (juvenile correctional center or alternative commitment placement) bed space needs cannot be determined.

Juvenile detention facilities. The Department of Juvenile Justice reports that the proposal's impact on the bed space needs of juvenile detention facilities cannot be determined.

Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 725 of the Acts of Assembly of 2025, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000.

Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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