

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

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ORIGINAL

Bill Number: SB348E2

Patron: Boysko

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

Bill Summary: The reengrossed bill provides that 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 shall 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. Under the bill, any person who violates this provision is guilty of a Class 4 misdemeanor. The bill also requires any dealer, as that term is defined in current law, to post a written notice informing the public of the penalty imposed for failure to comply with the bill's provisions. The reengrossed bill removes the definition of "on or about his person" and removes the exception for any person in lawful possession of a firearm who is carrying such firearm about his person. The reengrossed bill also adds that the storage device in which a firearm must be kept must have a combination lock, coded lock, or biometric lock.

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 storage device with a combination lock, coded lock, or biometric lock. 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 these types of 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

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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 do so.

This proposal creates a new Class 4 misdemeanor for improperly stored firearms. 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 HB871.