

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

Fiscal Analysis: Currently, it is a Class 1 misdemeanor for any person to purchase, possess, or transport a firearm following a misdemeanor conviction for assault and battery against a family or household member. The proposal expands the definition of family or household member for the purposes of this statute to include any person who cohabits or who, within the previous 12 months, cohabitated with the individual. 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. Individuals convicted of certain Class 1 misdemeanor weapons offenses who accumulate three or more such convictions may be found guilty of a Class 6 felony with the possibility of prison time. Therefore, this proposal could result in an increase in the number of persons sentenced to jail or prison.

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 misdemeanant 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.

Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded, pursuant to § 30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. In such cases, Chapter 725, 2025 Acts of Assembly, requires that a minimum impact of \$50,000 be assigned to the bill.

This proposal adds prohibitors to purchasing, possessing, or transporting of firearms. The Department of State Police (VSP), which oversees the Firearm Transaction Program, will need to modify the Department's Firearms Purchase Background Check System (VCHECK2) and the related forms (SP-65) to change the language regarding the definition of family or household member for intimate partner violence and the prohibition against purchasing, possessing, or transporting a firearm after conviction for the specified time period. The Department estimates that IT updates to VCHECK2 will cost \$41,034 and modifications to SP-65 will cost \$10,254.40. Overall, the Department estimates the proposal will cost them \$51,288.40.

Other: The companion bill is SB160H1. House budget amendment 415 #1h provided VSP \$51,288 for this proposal.