

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB158

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** McClure

3. **Committee:** Committee on Public Safety

4. **Title:** Firearm locking device required for sale or transfer of firearm.

5. **Summary:** This proposal makes it a Class 1 misdemeanor for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any firearm to any person other than a licensed manufacturer, licensed importer, or licensed dealer unless the transferee is provided with a locking device for that firearm and the firearm is accompanied by a warning, in conspicuous and legible type in capital letters printed on a label affixed to the firearm and on a separate sheet of paper included within the packaging enclosing the firearm, that firearms should be locked and kept away from children and that there may be civil and criminal liability for failing to do so. The bill provides exceptions for law-enforcement and governmental agencies.

6. **Budget Amendment Necessary:** No.

7. **Fiscal Impact Estimates:** See Item 8 below.

8. **Fiscal Implications:** The Department of State Police (VSP) does not anticipate a fiscal impact as a result of this proposed legislation on the agency.

The proposed legislation also creates new Class 1 misdemeanor. 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. 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 2023), the estimated total state support for local jails averaged \$45.76 per inmate, per day in FY 2022.

9. **Specific Agency or Political Subdivisions Affected:** Courts, Commonwealth's Attorneys, Department of Corrections, state and local law enforcement agencies Local and regional jails.

10. Technical Amendment Necessary: No.

11. Other Comments: Similar to HB12