

## Department of Planning and Budget 2023 Fiscal Impact Statement

1. **Bill Number:** HB2078

**House of Origin**     Introduced     Substitute     Engrossed

**Second House**     In Committee     Substitute     Enrolled

2. **Patron:**    Murphy

3. **Committee:** Committee Referral Pending

4. **Title:**    Firearm locks required for sale or transfer of handguns; warning against accessibility to children.

5. **Summary:** Provides that it is a Class 1 misdemeanor for a licensed manufacturer, importer, or dealer to sell, deliver or transfer a handgun to a person other than a licensed manufacturer, importer, or dealer, unless the transferee is provided with a locking device for the handgun, or unless the handgun is accompanied by a warning stating that the use of a locking device or safety lock is only one aspect of responsible firearm storage, that firearms should be stored unloaded and locked in a location that is separate from ammunition and inaccessible to children, and that the failure to store the firearm property may result in civil or criminal liability. The bill makes an exception when the transferee is the state or federal government or a department or agency thereof, if the transferee is a law enforcement officer, or if the handgun is for law enforcement purposes.

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

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

8. **Fiscal Implications:** The Department of State Police (VSP) oversees the Commonwealth's Firearms Transaction Program. There is no anticipated fiscal impact as a result of this proposed legislation, according to VSP.

The proposed legislation creates a new Class 1 misdemeanor for handgun manufacturers, importers, or dealers who transfer a firearm without a locking device and accompanying warning about gun storage. 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 the localities \$4.00 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 varies from locality to locality. However, according to the Compensation Board's most

recent Jail Cost Report (November 2022), the estimated total state support for local jails averaged \$40.39 per inmate, per day in FY 2021.

**9. Specific Agency or Political Subdivisions Affected:** Law enforcement agencies , Courts, and Local and regional jails.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.