



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 1497

PRINTERS NO. 3460

PRIME SPONSOR: Stephens

### COST / (SAVINGS)

FUND	FY 2015/16	FY 2016/17
General Fund	See "Fiscal Impact" below.	

**SUMMARY:** House Bill 1497 amends the Crimes Code concerning persons not to possess, use, manufacture, control, sell, or transfer firearms. It would take effect in 60 days.

**ANALYSIS:** House Bill 1497 amends the Crimes Code concerning penalties for prohibited possession of a firearm by a person following a juvenile delinquency adjudication. It amends Section 6105(c)(8) of the Crimes Code to add a juvenile adjudication of delinquency for a felony offense under the Controlled Substances Act to the list of offenses which will prohibit possession of a firearm for a period of 15 years after the adjudication or until the person turns 30, whichever is earlier.

This legislation also amends Section 6105(a.1) by adding two new paragraphs, paragraphs (6) and (7). Paragraph (6) will increase the grading for possession of a firearm by a person who has been adjudicated delinquent for one of several offenses enumerated in Sections 6105(c)(7). Paragraph (7) will increase the grading for possession of a firearm by a person who has been adjudicated delinquent for a felony offense under the Controlled Substances Act or an offense listed in Section 6105(c)(8) which includes offenses enumerated in Section 6105(b) other than an offense enumerated in Section 6105(c)(7).

Illegal possession under these provisions is currently a misdemeanor of the first degree, punishable by up to 5 years in prison and up to a \$10,000 fine, but will be increased to a felony of the second degree, punishable by up to 10 years in prison and up to a \$25,000 fine.

**FISCAL IMPACT:** Enactment of this legislation could have a fiscal impact on the Commonwealth by lengthening sentences for adjudicated delinquents who illegally possess, use, manufacture, control, sell, or transfer firearms. The current maximum sentence is 5 years in prison and House Bill 1497 would extend that maximum to 10. Therefore, any additional costs would not begin to accrue until 5 years after enactment, if an individual convicted under this legislation begins serving a 6th year of incarceration. It is not possible to provide an estimate of what those costs may be at this time.

**PREPARED BY:** Jeff Miller  
House Appropriations Committee (R)

**DATE:** June 14, 2016

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*