

Fiscal Estimate - 2003 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 03-0128/5	Introduction Number AB-444
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Subject
 Licenses to carry a concealed weapon

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

Local:

<input type="checkbox"/> No Local Government Costs		
<input type="checkbox"/> Indeterminate		
1. <input checked="" type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input checked="" type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DOJ/ Vaughn Vance (608) 264-9463	Authorized Signature Vaughn Vance (608) 264-9463	Date 9/12/2003
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Fiscal Estimate Narratives

DOJ 9/12/2003

LRB Number	03-0128/5	Introduction Number	AB-444	Estimate Type	Original
Subject					
Licenses to carry a concealed weapon					

Assumptions Used in Arriving at Fiscal Estimate

Summary/DOJ Duties

This legislation would create a procedure by which a person may apply to a county sheriff for a license to carry a concealed weapon. Under the bill, among other duties, the Department of Justice (DOJ) would be required to:

1. Design application forms
2. Create a design for license documents
3. Create a unique code number and unique identification number for each license issued.
4. Perform a firearms restriction record search for each applicant
5. Issue a unique approval or non-approval for each applicant
6. Receive a duplicate copy of each license application form from the submitting county sheriff
7. Maintain computerized records identifying the names of all licensees along with information concerning each individual as provided to the Department by the local sheriff
8. Receive arrest and conviction information from local law enforcement and court personnel regarding potentially revocable charging events and convictions.
9. Provide information concerning a specific individual who is a license holder to law enforcement personnel, including information on revocations.

DOJ Assumptions

Based upon the experience of other comparable states and the annual number of existing background checks conducted by the Department's "Handgun Hotline," it is estimated that at least 30,000 to 40,000 applications for a concealed carry permit would be made in the first year. Additionally, DOJ estimates that at least 20,000 additional applications will be made in each subsequent year.

Handgun Hotline – Deficit Status

Existing funding for Wisconsin's Handgun Hotline is insufficient to meet the annual costs of the program. At the conclusion of the current fiscal year, the Hotline is expected to carry forward a deficit of approximately \$800,000. Nothing in this legislation will address the persistent and chronic underfunding of the Wisconsin Handgun Hotline. Moreover, this legislation will place additional strains on the resources and personnel currently assigned to this program.

State Costs

Necessary Informational Technology Costs

Data Server & Software Licenses \$129,000

Oracle Support \$29,000

Web Server & Software Licenses \$95,000

Necessary Development Costs

Programming \$ 75,000

TIME Interface Requirements \$128,000

Subtotal for Information Technology Costs \$456,000

Necessary Personnel Costs

4 Additional Criminal History Specialists

Salary @ \$21,000 each \$126,000

Fringe benefits @ \$7,226 each \$43,200

One time costs for workstations \$6,000

Supplies & Services \$37,200

Subtotal for personnel Costs \$212,400

Total DOJ Costs \$668,400

Local Costs

Implementation of a tamperproof license, as outlined in the bill, will result in both one time and on-going costs for local Sheriff's offices. Additionally, the costs associated with the on-going reporting of charging and conviction data, will impose both short and long term costs on local law enforcement and court officials.

Equipment

To arrive at the local costs imposed by this bill, the Department of Justice reviewed the experiences of both the Department of Corrections and Transportation with their current ID issuing functions. As a result of this review and additional information provided to the Department, DOJ estimates that each county Sheriff will be required to purchase and maintain the following equipment: personal computer, keyboard, mouse, Sensor Mast (digital camera) Eltron P500 card printer, license application software, and other equipment as necessary.

Equipment costs to each county government \$ 32,000

Subtotal of Equipment costs to 72 county governments \$2,304,000

Personnel

Training of deputy sheriffs and desk clerks will likely be a necessary component of any local licensing arrangement, such as that proposed by this legislation. Among the many costs imposed upon local governments as a result of this legislation are the following: training on the equipment, processing the applications, taking digital photographs, issuing licenses, processing changes of address, reissuing lost or destroyed licenses, suspending or revoking previously issued licenses for those charged or convicted of a disqualifying arrest and filing the written answer for appeals for denials in circuit court and license expiration or renewal.

This legislation specifically requires the clerk of each court to notify the sheriff of court proceedings that would require suspension or revocation of a license. In the last year alone, 134,064 charges were filed in Wisconsin that would trigger this requirement. Ostensibly, each of these charges would require notification from the clerk of court to the Sheriff's office in, at least, the county in which the charges are filed. The bill does not make clear whether these charges must then be relayed to the Department of Justice. Additionally, 56,252 of these charges resulted in convictions that would disqualify a licensee. Presumably, these convictions would require notification of the Sheriff and the Department of Justice (DOJ) to ensure the continued accuracy of the state list. It is unclear from the legislation how this information will be communicated to law enforcement throughout the state in the event that a licensee is charged or convicted outside the issuing county.

Approximate time for Sheriff's Department staff to complete these tasks, given the high volume of anticipated applicants and charging/conviction information is difficult to estimate. Time required to process each application, conduct necessary background investigation, complete paperwork, photograph the applicant, and issue the card is estimated to take approximately one hour per applicant. Given the number of estimated applicants (~ 35,000), it can be assumed that county sheriffs offices will spend approximately 35,000 hours processing these applications. Based upon a typical work year of 1560 hours, this legislation will require the addition of approximately 22.4 FTE deputy sheriff positions. According to law enforcement officials, each additional deputy sheriff position can be estimated to cost county law enforcement agencies approximately \$50,000, including benefits. Statewide personnel costs for sheriffs can be estimated at a minimum to amount to \$1,120,000.

22.4 additional FTE positions x \$50,000 personnel costs = \$1,120,000

Costs to local governments as a result of this legislation are not limited to sheriffs department's who are required under this legislation to issue permits. Additional costs will be borne by county court officials who, on an on-going basis, will be required to coordinate data with the Department of Justice related to disqualifying arrests and convictions. Last year alone, 134,064 charges were filed that would potentially disqualify license holders under this bill. Of these charges 56,252 resulted in a conviction which would require substantial follow up by local court officials and law enforcement agencies as well as for DOJ. Assuming that each charging decision and each conviction required only one 5 minute phone call, based upon a typical work year of 1560 hours, this legislation will require the addition of approximately 10 FTE clerical positions throughout the clerk of courts system. Assuming that each additional clerk of court official position cost local governments \$30,000 including benefits, the following total costs can be assumed:

Subtotal of necessary Court officer personnel costs \$ 300,000

Total Local Government Personnel Costs \$ 1,420,000

Year 1 Total Local Government Costs \$ 3,724,000

The legislation, as proposed, would generate revenue, through fees charged, that would offset some of the costs identified above. It is worth noting, however, that the revenue allocation scheme envisioned in the bill would not meet the costs anticipated for every level of government affected. The fees generated under this bill, per applicant, are as follows:

Revenue

While the legislation authorizes counties to impose a maximum fee of \$75 per applicant, it is uncertain how many will do so. If every county applied the maximum for every applicant, assuming 35,000 applicants, this legislation would generate approximately \$2,625,000 in revenue for counties.

Additionally, the bill requires that each applicant pay the following:

1. DOJ firearms restriction record search. This fee is currently set at \$8. DOJ anticipates a \$800,000 deficit within the existing handgun hotline that is not addressed by this legislation and which may be further exacerbated without additional resources.
2. A shooting range improvement fee of \$15.
3. A law enforcement excellence fee of \$15.

Long-Range Fiscal Implications