

Fiscal Estimate Narratives

DNR 8/16/2011

LRB Number 11-1571/1	Introduction Number SB-168	Estimate Type Original
Description Requiring a firearms restrictions record search for transfers of handguns that do not involve a firearms dealer, requiring the exercise of rule-making authority, and providing a penalty.		

Assumptions Used in Arriving at Fiscal Estimate

This bill requires a firearms restrictions record search for transfers of handguns that do not involve a firearms dealer, and would prohibit any person who is not a firearms dealer from transferring a handgun to another person who is not a firearms dealer unless:

1. The person who is to receive the handgun submits a request to a firearms dealer for a record search;
2. The firearms dealer requests that Dept. of Justice (DOJ) perform the record search; and
3. The firearms dealer notifies the person who is transferring the handgun either that the record search did not reveal any firearms restrictions for the person who is to receive the handgun or that the time period for running a record search expired.

The bill allows a firearms dealer to charge the person who is to receive the handgun the \$13 fee charged by DOJ for record searches plus an additional \$5. Any person who intentionally transfers a handgun in violation of this background check requirement or who intentionally provides false information in connection with a firearms restrictions record search is subject to a fine of not less than \$500 and not more than \$10,000 and may be imprisoned for up to nine months.

The Department of Natural Resources does not generally enforce laws on purchasing or transfer of firearms and this bill does not provide any new authority to DNR to assist with enforcement of this new restriction. The DNR's authority would only relate to the illegal transfer of a handgun which occur on lands under the ownership, management and control of the DNR, as well as when an illegal transfer should occur in the presence of a Conservation Warden, or the warden is requested by another law enforcement agency to assist them with an investigation. The DNR does not anticipate additional workload resulting for its staff as a result of the provisions of this bill.

Further, assuming that transfers of handguns by the department to its law enforcement officers, confiscated firearms to the state crime lab for disposal, and temporary transfers for use in hunting or target practice between friends and family members that do not result in change of ownership will not be affected by this bill, the DNR does not expect the bill to have a significant fiscal impact on the Department.

Long-Range Fiscal Implications