

Fiscal Estimate Narratives
DOC 4/2/2014

LRB Number	13-3349/1	Introduction Number	AB-0885	Estimate Type	Original
Description Possession of firearms by individuals who are habitual criminals					

Assumptions Used in Arriving at Fiscal Estimate

The proposed legislation expands the prohibition of illegally possessing a firearm to include a person convicted of misdemeanors on three separate occasions within a five-year period until at least five years have passed since the first misdemeanor conviction. Conviction for this offense is a Class G felony, a fine not to exceed \$25,000 or imprisonment not to exceed 10 years, or both.

549 Department of Corrections offenders were convicted of misdemeanors in FY 2013 who had a total of 3 misdemeanor convictions within the five years prior to their latest conviction in FY 2013. These individuals most likely would have been statutorily eligible under this proposed legislation.

The Department of Corrections is unable to estimate the number of offenders who may be subject to the criminal penalty provisions of this bill since imprisonment is not a mandatory component of a Class G Felony. The average FY13 annual cost for an inmate in a DOC institution is approximately \$32,100. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$5,400 based on FY13 costs. Should the Department use contract beds, the rate would be approximately \$18,800 annually per person.

State costs could change if an increased or decreased number of offenders are convicted of this crime and placed on probation. The average FY13 annual cost to supervise one offender is approximately \$2,700.

A local impact will also occur if an adult offender is sentenced to a jail term under the provisions of this bill. The local fiscal impact cannot be estimated.

Long-Range Fiscal Implications