

Fiscal Estimate Narratives

DA 11/1/2019

LRB Number 19-4548/1	Introduction Number AB-0577	Estimate Type Original
Description : the possession of a firearm by a person who has committed a misdemeanor crime of domestic violence or by a fugitive from justice and providing a penalty		

Assumptions Used in Arriving at Fiscal Estimate

Under this bill, following a conviction, or a finding of not guilty by reason of mental disease or defect, for a misdemeanor crime of domestic violence, state law would prohibit possessing a firearm. This bill also adds that a person who is a fugitive from justice is prohibited from possessing a firearm. This bill defines "fugitive from justice" as someone who, after having committed a criminal offense, leaves the jurisdiction of the court where such crime has taken place or hides within such jurisdiction to escape prosecution.

Adoption of state firearm restrictions that mirror existing federal restrictions for domestic violence convictions would likely have the effect of more cases being set for trial that would have resolved via plea agreement under existing law. The proposed firearm prohibition related to fugitives from justice would result in additional criminal referrals to District Attorney offices and higher case loads. Data with which to determine the resource impact related to these changes in the law is not available. Despite the recent investment in staffing, District Attorney offices remain understaffed. Legislation that increases penalties for existing crimes or creates new crimes should be accompanied by additional position authority and funding.

Long-Range Fiscal Implications

This bill would increase the number of cases referred to District Attorney offices and would increase the number of cases that are resolved at trial rather than by plea agreement.