



## Fiscal Estimate Narratives

LFB 12/12/01

LRB Number	01s0233/1	Introduction Number	ASA2- AB529	Estimate Type	Supplemental
<b>Subject</b>					
Concealed weapons					

### Assumptions Used in Arriving at Fiscal Estimate

Summary: Under current law, a person is guilty of a Class A misdemeanor for: (a) going armed with a concealed and dangerous weapon unless he or she is a peace officer; and/or (b) intentionally going armed with a handgun on any premises for which a Class "B" or "Class B" liquor license or permit has been issued unless the person is a peace officer or another exception applies. Assembly Substitute Amendment 2 to 2001 Assembly Bill 529 (ASA 2 to AB 529) would allow a qualified retired peace officer to: (a) go armed with a concealed and dangerous weapon; and (b) intentionally go armed with a handgun on any premises for which a Class "B" or "Class B" liquor license or permit has been issued, unless the sale of intoxicating liquors or fermented malt beverages or both on those premises accounts for more than 50% of the proprietor's receipts from those premises.

Under ASA 2 to AB 529, a "qualified retired peace officer" would mean a person: (a) whose request for authorization to carry a concealed weapon has been granted; (b) who continues to meet the requirements for such an authorization; and (c) who holds a Department of Transportation (DOT) driver's license or identification card containing a designation that the person has been authorized to carry a concealed weapon. To receive such an authorization, a person would have to establish that he or she: (a) was formerly employed as a peace officer and, immediately upon the termination of his or her employment as a peace officer, qualified for an annuity under the Wisconsin retirement system, the retirement system of any 1st class city in Wisconsin, or any retirement system established under chapter 201, laws of 1937 (Milwaukee County retirement system); (b) was not the subject of any disciplinary investigation or proceeding being conducted by his or her employer at the time of his or her retirement as a peace officer; (c) does not have a physical or mental disability that precludes the person from safely handling a firearm; (d) is not prohibited under s. 941.29 of the statutes from possessing a firearm; (e) is not prohibited under federal law from possessing a firearm; and (f) except during the two-year period immediately following a person's retirement from active service as a peace officer, successfully completed within the preceding two-year period a course of 8 hours or less that was offered by a technical college that covered the safe use and storage of a handgun or an equivalent course offered by any other institution or program.

"Peace officer" is defined in the statutes as any person vested by law with a duty to maintain public order or to make arrests for crime, whether that duty extends to all crimes or is limited to specific crimes. Given this broad definition, it is assumed that those retiring in the Wisconsin retirement system as protectives with Social Security with mailing addresses in Wisconsin (and similar annuitants in the Milwaukee retirement systems) would generally be eligible to apply for authorization to carry concealed weapons. This would include not only law enforcement officers, but potentially probation and parole officers, constables and jail officers as well.

Under ASA 2 to AB 529, the Law Enforcement Standards Board would be required to: (a) verify the eligibility of individuals to carry concealed weapons, or to intentionally go armed with a handgun on any premises for which a Class "B" or "Class B" liquor license has been issued, as a qualified retired peace officer; (b) authorize DOT in writing to include on a person's driver's license or identification card a designation that the person is a "qualified retired peace officer"; (c) verify every two years the continuing eligibility of individuals to qualify to carry concealed weapons; (d) revoke a person's authorization to carry a concealed weapon if the Board determines at any time that the person does not meet the eligibility requirements for such authorization; and (e) promulgate rules for the administration of these duties. The Department of Justice (DOJ) would be required to perform firearms restrictions record searches at no cost when requested by the Law Enforcement Standards Board as a part of the Board's verification procedure that an individual is eligible to carry a concealed weapon.

Under ASA 2 to AB 529, DOT would be required to provide for a designation on driver's licenses and identification cards that an individual has been authorized to carry a concealed weapon, and allow qualified individuals to obtain duplicate driver's licenses and identification cards with the designation.

Fiscal Estimate: In order to estimate participation rates and the resulting workload under ASA 2 to AB 529, a search was conducted to find other states with comparable laws creating separate programs to license retired peace/law enforcement officers to carry concealed weapons. This search identified New Jersey as having a comparable law, passed in 1997, that allows retired law enforcement officers to carry concealed weapons. To be eligible to carry a concealed weapon in New Jersey, a retired law enforcement officer must: (a) have been a full-time, law-enforcement officer, who is retired in good standing from a law enforcement agency in the State of New Jersey or federal government; (b) be less than 70 years of age; (c) be proficient with a handgun and provide proof of semiannual qualification with a handgun; (d) not be disqualified on the basis of a criminal record, substance abuse or mental state; and (e) if a law enforcement officer retired due to disability, the officer must also submit documentation from a doctor that he or she is still able to carry a handgun. There are a number of other features of this New Jersey law that distinguish it from ASA 2 to AB 529: (a) a retired law enforcement officer must submit his or her application to carry a concealed weapon within six months after retirement or be barred from carrying a concealed weapon as a retired law enforcement officer; (b) concealed weapons permits must be renewed annually as opposed to biennially; and (c) applicants must pay \$60 with their initial application and \$50 annually thereafter as a part of the renewal process (ASA 2 to AB 529 has no application or renewal fee).

New Jersey currently has three full-time employees responsible for issuing permits; currently, there are 4,337 retired law enforcement officers in New Jersey with permits to carry concealed weapons. Assuming a similar ratio in Wisconsin and New Jersey of eligible retired law enforcement/peace officers to overall population and assuming a similar participation rate in both states, it is estimated that approximately 40% of eligible retired peace officers in Wisconsin would apply for authorization to carry concealed weapons, or up to 2,600 individuals. Given the duties of the Law Enforcement Standards Board under ASA 2 to AB 529 and the need to potentially process up to 2,600 new applications in the first two years after passage of ASA 2 to AB 529, it is estimated that DOJ would require two program assistant two-year project positions and a half-time LTE training officer position at an annual cost of \$83,900 GPR, plus one-time costs of \$19,500 GPR. It is assumed that GPR funding would be needed, because the PR appropriation which funds Law Enforcement Training Board activities may only be used to cover costs associated with administration of the law enforcement training fund and training of state law enforcement personnel. In addition, it is estimated that DOJ would incur annual costs of \$1,500 PR associated with providing firearms restrictions record searches for up to 2,600 applicants in the first two years after passage of the bill. These record search costs could likely be absorbed with existing agency resources.

In order to designate on driver's licenses and identification cards that the individual has been authorized to carry a concealed weapon, it is estimated that DOT would incur one-time costs totaling \$113,800 SEG to modify the driver license issuance system and application forms. In addition, assuming 2,600 applicants would receive authorization to carry concealed weapons in the first two years after passage of the bill, it is estimated that DOT would incur \$5,900 SEG in annual costs and receive \$4,600 SEG in annual revenue to issue duplicate driver's licenses. These issuance costs could likely be absorbed with existing agency resources.

## **Long-Range Fiscal Implications**

## Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> 01s0233/1		<b>Introduction Number</b> ASA2-AB529	
<b>Subject</b>			
Concealed weapons			
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>			
\$113,800 SEG to DOT to modify the driver's license issuance system and application forms. \$19,500 GPR to DOJ for positions.			
<b>II. Annualized Costs:</b>		<b>Annualized Fiscal Impact on funds from:</b>	
		Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>			
State Operations - Salaries and Fringes		\$83,900	
(FTE Position Changes)		(2.0 FTE)	
State Operations - Other Costs		7,400	
Local Assistance			
Aids to Individuals or Organizations			
<b>TOTAL State Costs by Category</b>		<b>\$91,300</b>	<b>\$</b>
<b>B. State Costs by Source of Funds</b>			
GPR		83,900	
FED			
PRO/PRS		1,500	
SEG/SEG-S		5,900	
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>			
		Increased Rev	Decreased Rev
GPR Taxes		\$	\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S		4,600	
<b>TOTAL State Revenues</b>		<b>\$4,600</b>	<b>\$</b>
<b>NET ANNUALIZED FISCAL IMPACT</b>			
		<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS		\$91,300	\$
NET CHANGE IN REVENUE		\$4,600	\$
<b>Agency/Prepared By</b>		<b>Authorized Signature</b>	<b>Date</b>
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