



## Fiscal Estimate Narratives

DOC 4/15/2013

LRB Number	13-0660/1	Introduction Number	AB-0138	Estimate Type	Original
<b>Description</b> Sales and transfers of firearms and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, various conditions must be met before a federally licensed firearms dealer may transfer a handgun after a sale. This bill proposes prohibition of the sale or transfer of any firearm unless the sale or transfer is through a federally licensed firearm dealer and a background check is performed on the prospective transferee. This bill also proposes to exclude the following from the stated prohibition: a non-applicable sale or purchase of a handgun under current law, a transfer by gift, bequest, or inheritance to a family member, or a temporary transfer that does not have an illegal purpose. Violation of the above requirements result in a misdemeanor punishable by a \$500-\$10,000 fine, possible confinement for up to nine months, and suspension of firearm possession for two years.

Since this bill does not prescribe the place of imprisonment and the term is for less than one year, any offenders sentenced to confinement shall do so in a county jail.

Probation placements are not currently required for the violation of the aforementioned firearm transfer and sale requirements, therefore the full extent of this bill's fiscal impact is difficult to determine. The Department is unable to estimate the number of convictions which may occur under the provisions of this bill. Although the number of convictions associated with this bill may not be estimated, state costs would increase if offenders are convicted of this crime and placed on probation. The average FY12 annual cost to supervise one offender is approximately \$2,900.

The precise cost of this legislation will ultimately depend on the sentencing practices of judges under the new penalty structure and the number of offenders who violate these specific offenses.

### Long-Range Fiscal Implications