

Fiscal Estimate Narratives

DOT 9/19/2019

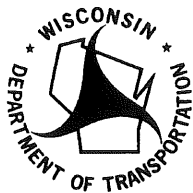
LRB Number	19-0975/1	Introduction Number	AB-0419	Estimate Type	Original
Description requirement to report lost or stolen firearms and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Because the State Patrol would refer nearly all of these cases of lost/stolen firearms to local authorities, there is no fiscal effect on department.

Local law enforcement would be required to expend additional time, an estimated 15 minutes per case, to document these lost/stolen firearms for owners who are not currently required to do so under law. The annual number of firearms that owners would report lost or stolen annually due to these reporting requirements is difficult to determine, as states with these reporting requirements have shown large variance in the amount of stolen and lost firearms that are reported to law enforcement. It is unlikely that there would be a notable increase in costs from arresting owners that fail to report lost or stolen firearms. Since implementing this requirement in 2013, Illinois has seen less than 10 arrests in the past five years statewide while New York arrested 11 violators in the same period.

Long-Range Fiscal Implications



**State of Wisconsin
Wisconsin Department of Transportation**

MEMORANDUM

To: Executive Offices
From: Division of State Patrol
Date: 9/17/19
Subject: Analysis for AB-419 relating to: Penalties for failing to report a stolen or lost firearm

1. Effect on Existing State Law
Under current law, there is no state statute requiring firearm owners to report the loss or theft of a firearm. This bill would introduce a penalty to firearm owners who do not report the loss or theft of their firearm within twenty-four hours of discovering that it is stolen or lost, with first offense being a Class A misdemeanor and subsequent offenses being a Class I felony. A person who falsely reports a lost/stolen firearm would be guilty of the current crime of obstructing an officer. Additionally, the bill requires a person who commercially sells or transfers a firearm must provide a written notice of this requirement to the purchaser/transferee. A seller/transferor who violates this requirement would be subject to a fine of up to \$500, imprisonment for up to 30 days, or both.
2. Legislative Action in Previous Session
In the 2017-2018 session, there was similar legislation proposed in AB-428. The bill provided the same penalties as this legislation would for failure to report the theft/loss and for failure to provide a written notice of the requirement at sale/transfer. The bill was referred to the Committee on Criminal Justice and Public Safety but never received a public hearing.
3. Policy Significance
This bill would have minimum impact on the Division of State Patrol. While the bill lists that a person may report the theft/loss to a law enforcement agency with jurisdiction in their area, in almost all cases DSP would refer them to their local PD as state statute 110.07(2m) states that a state traffic officer may not conduct investigations for crimes unless it relates to the use or operation of motor vehicles.
4. Administrative Significance
Under this bill law enforcement would be required to document stolen or lost firearms to the national crime information center systems and into a database created for stolen or lost firearms that would be available to law enforcement agencies for the purpose of locating or identifying stolen or lost firearms. This database would be maintained by the Department of Justice.
5. Fiscal Effect
Because DSP would refer nearly all of these cases of lost/stolen firearms to local authorities, there is no fiscal effect on DOT.

Local law enforcement would be required to expend additional time, an estimated 15 minutes per case, to document these lost/stolen firearms for owners who are not currently required to do so under law. The annual number of firearms that owners would report lost or stolen annually due to these reporting requirements is difficult to determine, as states with these reporting requirements have shown large variance in the amount of stolen and lost firearms that are reported to law enforcement. It is unlikely that there would be a notable increase in costs from arresting owners that fail to report lost or stolen firearms. Since implementing this requirement in 2013, Illinois has seen less than 10 arrests in the past five years statewide while New York arrested 11 violators in the same period.
6. Laws in Other States
Currently there are nine states and the District of Columbia that have implemented similar legislation. The length of time a firearm owner has to report their firearm as stolen or lost varies by state from

immediately (Massachusetts, Ohio, D.C.) while Delaware allows up to seven days to pass before an owner must report their firearm.

California, Connecticut, Delaware, District of Columbia, Illinois, Maryland, Massachusetts, Michigan (thefts only), New Jersey, New York, Ohio, and Rhode Island have all adapted mandatory loss and theft reporting laws.

7. Summary and Recommendation

The intent of this bill is to require firearm owners to report to a law enforcement officer that their firearm has been stolen/lost within twenty-four hours of discovery.

8. Prepared by

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