

Fiscal Estimate Narratives

DOC 10/9/2019

LRB Number	19-3949/1	Introduction Number	AB-0431	Estimate Type	Original
Description Sales and transfers of firearms and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Current law provides that certain conditions, including a background check of a prospective purchaser, must be met before a federally licensed firearms dealer may transfer a handgun after a sale.

This bill would generally prohibit a person from selling or transferring any firearm, including the frame or receiver of a firearm, unless the sale or transfer occurs through a federally licensed firearms dealer and involves a background check of the prospective transferee. Under the bill, the following are excepted from that prohibition: a sale or transfer to a firearms dealer or to a law enforcement or armed services agency; a sale or transfer of a firearm classified as antique; or a transfer that is by gift, bequest, or inheritance to a family member. A person convicted of violating this prohibition would be guilty of a misdemeanor and must be fined not less than \$500 nor more than \$10,000, may be imprisoned for not more than nine months, and may not possess a firearm for a period of two years.

The Department of Corrections (DOC) is unable to estimate the state fiscal effect of this bill, as it is unable to estimate how many individuals will be subject to the bill's new criminal penalty provisions. The precise cost of this legislation will ultimately depend on the number of offenders and the sentencing practices of judges. In addition, the bill's criminal penalty is a misdemeanor, and sentences for less than one year of imprisonment are typically served in county jails, not the state prison system.

If there is a large increase in the number of offenders convicted of this crime and placed on probation, additional community corrections funding and/or positions may be necessary to handle the population. The average FY18 annual cost to supervise one offender is approximately \$3,200.

Long-Range Fiscal Implications