

### Fiscal Estimate - 2021 Session

Original     
  Updated     
  Corrected     
  Supplemental

|                                    |   |
|------------------------------------|---|
| <b>LRB Number</b> <b>21-2506/1</b> | <b>Introduction Number</b> <b>AB-0321</b> |
|------------------------------------|---|

**Description**  
 the possession of a firearm by a person who has committed a misdemeanor crime of domestic violence and providing a penalty

**Fiscal Effect**

**State:**

|   |   |  |
|---|---|--|
| <input type="checkbox"/> No State Fiscal Effect           | <input type="checkbox"/> Increase Existing Revenues       | <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Indeterminate                    | <input type="checkbox"/> Decrease Existing Revenues       |  |
| <input type="checkbox"/> Increase Existing Appropriations | <input type="checkbox"/> Decrease Existing Appropriations | <input type="checkbox"/> Decrease Costs  |
| <input type="checkbox"/> Create New Appropriations        |   |  |

**Local:**

|  |   |  |
|--|---|--|
| <input type="checkbox"/> No Local Government Costs                     |   |  |
| <input checked="" type="checkbox"/> Indeterminate                      | <b>5. Types of Local Government Units Affected</b><br><input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities<br><input type="checkbox"/> Counties <input type="checkbox"/> Others<br><input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |  |
| 1. <input type="checkbox"/> Increase Costs                             | 3. <input type="checkbox"/> Increase Revenue  |  |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory  |  |
| 2. <input type="checkbox"/> Decrease Costs                             | 4. <input type="checkbox"/> Decrease Revenue  |  |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory  |  |

**Fund Sources Affected** **Affected Ch. 20 Appropriations**

GPR     FED     PRO     PRS     SEG     SEGS

|   |  |                          |
|---|--|--------------------------|
| <b>Agency/Prepared By</b><br>DA/ Kasey Deiss (608) 267-2700 | <b>Authorized Signature</b><br>Jana Steinmetz (608) 267-9634 | <b>Date</b><br>5/14/2021 |
|---|--|--------------------------|

## Fiscal Estimate Narratives

DA 5/14/2021

|  |                  |                     |                |               |                 |
|--|------------------|---------------------|----------------|---------------|-----------------|
| LRB Number   | <b>21-2506/1</b> | Introduction Number | <b>AB-0321</b> | Estimate Type | <b>Original</b> |
| <b>Description</b><br>the possession of a firearm by a person who has committed a misdemeanor crime of domestic violence and providing a penalty |                  |                     |                |               |                 |

### Assumptions Used in Arriving at Fiscal Estimate

This fiscal estimate is submitted by the Director of the State Prosecutors Office on behalf of Agency 475 – District Attorneys. This fiscal estimate is responsive only to the fiscal and resource effect of the proposed legislation on the District Attorney program.

Current law prohibits a person from possessing a firearm if he or she has been convicted of a felony or found not guilty of a felony by reason of mental disease or defect. In addition, federal law prohibits a person from possessing a firearm if he or she has been convicted of a misdemeanor crime of domestic violence; under current law there is no comparable state prohibition. Under this bill, state law would also prohibit a person from possessing a firearm if he or she has been convicted of, or found not guilty by reason of mental disease or defect for, a misdemeanor crime of domestic violence. A person who violates the prohibition is guilty of a felony and is subject to a fine of up to \$25,000 or a term of imprisonment of up to 10 years, or both.

Responsive District Attorneys predicted that this proposed legislation would increase the workload in their offices in two ways. First, the creation of a new state-level offense would result in additional law enforcement referrals and increased case loads. Second, state-level enforcement of a domestic violence firearms prohibition would result in more domestic violence cases being set for trial rather than resolving via plea.

### Long-Range Fiscal Implications

Additional study would be needed to understand the full-impact of this proposed legislation on District Attorney offices. The consensus among responsive District Attorneys was that more resources (additional prosecutors and support staff) would be needed for their offices if this bill were to become law.