

### Fiscal Estimate - 2021 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>21-2751/1</b>	<b>Introduction Number</b> <b>SB-624</b>
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**Description**  
 Background checks requirement before transfers of firearms and providing a penalty

**Fiscal Effect**

**State:**

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

<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b> DOC/ Shelby Slaven (608) 240-5415	<b>Authorized Signature</b> Paulina De Haan (608) 240-5056	<b>Date</b> 10/26/2021
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## Fiscal Estimate Narratives

DOC 10/26/2021

LRB Number	<b>21-2751/1</b>	Introduction Number	<b>SB-624</b>	Estimate Type	<b>Original</b>
<b>Description</b> Background checks requirement before transfers of firearms and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

Current law provides that a licensed firearm dealer may not transfer a handgun after a sale until the dealer has performed a background check on the prospective transferee to determine if they are prohibited from possessing a firearm.

This bill would generally prohibit a person from transferring any firearm, including the frame or receiver of a firearm, unless the transfer occurs through a federally licensed firearms dealer and involves a background check of the prospective transferee. Under the bill, the following are exempt from this prohibition: a transfer to a firearms dealer or to a law enforcement or armed services agency, a transfer of a firearm classified as an antique, a transfer for no more than 14 days for hunting or target shooting, or a transfer that is by gift, bequest, or inheritance to a family member. A person who is convicted of violating the prohibition is guilty of a misdemeanor and must be fined not less than \$500 but not more than \$10,000, may be imprisoned up to nine months, and may not possess a firearm for a period of two years.

The fiscal impact on the Department of Corrections (DOC) is indeterminate since it is not possible to estimate how many individuals will be subject to the bill's new criminal penalty provisions. The exact cost of this legislation would 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 serviced 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 FY20 annual cost to supervise one offender is approximately \$3,300.

### Long-Range Fiscal Implications