

Fiscal Estimate - 2023 Session

Original Updated Corrected Supplemental

LRB Number 23-0110/1	Introduction Number AB-0368	
Description sales and 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"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected Affected Ch. 20 Appropriations		
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
Agency/Prepared By DOC/ Michael Slana (608) 240-5414	Authorized Signature Anna Neal (608) 228-1331	Date 8/11/2023

Fiscal Estimate Narratives

DOC 8/11/2023

LRB Number	23-0110/1	Introduction Number	AB-0368	Estimate Type	Original
Description sales and transfers of firearms and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Current law provides that a federally licensed firearms 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 excepted from that prohibition: a transfer to a firearms dealer or to a law enforcement or armed services agency; a transfer of a firearm classified as antique; 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 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 FY22 annual cost to supervise one client is approximately \$3,500.

Long-Range Fiscal Implications