FISCAL IMPACT STATEMENT

LS 6458
BILL NUMBER: HB 1071

SUBJECT: Authorization to Carry a Handgun.

FIRST AUTHOR: Rep. Eberhart
FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

NOTE PREPARED: Dec 14, 2016
BILL AMENDED:

BILL STATUS: As Introduced
IMPACT: State & Local

Summary of Legislation: This bill provides that certain persons protected by a civil protection order may carry a handgun without a license for: (1) 60 days after the date the civil protection order is issued; or (2) 60 days after the date the person applies for a license to carry a handgun, if the person applies for the license during the 60-day period following issuance of the civil protection order; whichever is later. It also makes a technical correction.

Effective Date: July 1, 2017.

Explanation of State Expenditures:

Explanation of State Revenues: Summary- It is likely that there would be minimal to nonexistent revenue reduction to both the Common School Fund (from fines) and the state General Fund (court fees) as a result of the license exemption precluding any arrests and convictions for carrying without a license.

Additional Information- The person under protective order must be at least 21 years of age and not otherwise barred by state or federal law from possessing a firearm during the 60-day period. The maximum fine for a Class A misdemeanor is $5,000. Criminal fines are deposited in the Common School Fund. Court fees to the state, from criminal case filings, are placed in the state General Fund.

Explanation of Local Expenditures: Summary- Based on the number of protective orders granted by courts in CY 2015, perhaps 1 or 2 prosecutions would have been saved that year, statewide, had this provision been in effect. Assuming similar protection order levels in future years, occupancy rates of county jails would
likely be unaffected by this bill.

A Class A misdemeanor is punishable by up to one year in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately $44.

**Explanation of Local Revenues:** Revenues from court fees to county and municipal governments would likely be minimally impacted by this bill.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, probation departments, community corrections agencies, local law enforcement agencies.


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