FISCAL IMPACT STATEMENT

LS 6458
BILL NUMBER: HB 1071

NOTE PREPARED: Feb 21, 2017
BILL AMENDED: Feb 14, 2017

SUBJECT: Authorization to Carry a Handgun.

FIRST AUTHOR: Rep. Eberhart
FIRST SPONSOR: Sen. Messmer

BILL STATUS: As Passed House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) Carrying Handgun Without License– 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.

Study Committee Topic– The bill urges the Legislative Council to assign to the appropriate study committee the task to study the repeal of the law that requires a person to obtain a license to carry a handgun in Indiana. The bill makes a technical correction.

Effective Date: (Amended) Upon passage, July 1, 2017.

Explanation of State Expenditures: (Revised) Study Committee Topic– Assigning the proposed study topic to an existing study committee would likely not increase that committee’s expenditures unless further meetings were required to complete the study.

Additional Information- Interim study committees with 15 or fewer members are budgeted $12,500. Committees with a membership of 16 or more are budgeted $16,500.

Explanation of State Revenues: (Revised) Carrying Handgun Without License– 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 a handgun without a license.

*Additional Information*: The person under protective order must be at least 18 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**: *Carrying Handgun Without License*—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**: *Carrying Handgun Without License*—Revenues from court fees to county and municipal governments would likely be minimally impacted by this bill.

**State Agencies Affected**: Legislative Council.

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