FISCAL IMPACT STATEMENT

LS 6458  
BILL NUMBER: HB 1071  
NOTE PREPARED: Apr 21, 2017  
BILL AMENDED: Apr 21, 2017  

SUBJECT: Handgun Matters.  

FIRST AUTHOR: Rep. Eberhart  
FIRST SPONSOR: Sen. Messmer  
BILL STATUS: Enrolled  

FUNDS AFFECTED: X GENERAL  
X DEDICATED  
FEDERAL  
IMPACT: State & Local

Summary of Legislation: Carrying Handgun Without License—The 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. The bill requires the Indiana State Police to adopt rules expediting the processing of an application for a license to carry a handgun made by a person protected by an order of protection.

Handgun Study—The bill urges the Legislative Council to assign the appropriate study committee to study 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: July 1, 2017.

Explanation of State Expenditures: Handgun Study—The Legislative Council could assign the topics to an existing interim study committee or establish a new interim study committee to study the topics during the next interim. If the Legislative Council were to assign these topics to an existing committee and the committee were to have any extra meetings to address them, there would be additional expenditures for legislator per diem and travel reimbursement for the committee members. Any additional expenditures must be within the committee’s budget.

Carrying Handgun Without License—It is likely the Indiana State Police (ISP) would be able to adopt the necessary rules and implement an application expedition policy within their existing level of resources.
Additional Information: Legislative Council resolutions in the past have established budgets for interim study committees in the amount of $12,500 per interim for committees with fewer than 16 members and $16,500 for committees with 16 members or more.

Explanation of State Revenues: Carrying Handgun Without License—It is likely that there would be minimal to no 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: Persons wanting to carry a handgun without a license for 60 days must have applied for a handgun license, be under a protective order, be at least 18 years of age, and not otherwise barred by state or federal law from possessing a firearm. 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.

Additional Information: 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.
