

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1204-04  
Bill No.: SCS for HCS for HB 436  
Subject: Firearms and Fireworks; Federal - State Relations  
Type: Original  
Date: April 29, 2013

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Bill Summary: This proposal modifies provisions relating to firearms.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Local Government</b>	<b>Minimal</b>	<b>Minimal</b>	<b>Minimal</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Attorney General's Office (AGO)** assume that any potential costs arising from this proposal could be absorbed with existing resources. If there is significant litigation, AGO may seek additional appropriations.

Officials from the **Office of Prosecution Services (OPS)** assume the proposal would not have a fiscal impact on their agency. The creation of a new crime creates additional responsibilities for county prosecutors which may, in turn, result in additional costs which are difficult to determine.

For the purpose of this proposed legislation, officials at the **Office of State Public Defender (SPD)** cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the proposed new crime of publishing individual information of those persons holding a firearm permit - a new class A misdemeanor.

While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide effective representation in all cases.

**Oversight** assumes the SPD can absorb the additional caseload that may result from this proposal.

According to officials from the **Department of Elementary and Secondary Education**, there is no anticipated state cost to the foundation formula associated with this proposal. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to school districts increases the deduction in the foundation formula the following year. Therefore the affected districts will see an equal decrease in the amount of funding received through the formula the following year; unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula.

ASSUMPTION (continued)

Officials from the **Department of Insurance, Financial Institutions and Professional Registration** and the **Department of Public Safety - Missouri Highway Patrol** each assume the proposal would not fiscally impact their respective agencies.

In response to a previous version of the proposal, officials from the **Office of the State Courts Administrator** assumed the proposal would not fiscally impact their agency.

Officials from the **Department of Corrections (DOC)** state this bill, if passed into law, modifies provisions relating to firearms.

Penalty provisions for violations, the component of the bill to have potential fiscal impact for DOC, is for a class A misdemeanor. Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Parole (FY12 average of \$4.960 per offender, per day, or an annual cost of \$1,810 per offender).

In summary, supervision by the DOC through probation would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

Sections 571.030 - 571.117 - CCW from 21 to 19:

In response to a similar proposal from this year (HB 92), Oversight received the following responses:

Officials from the **Department of Revenue (DOR)** state Section 571.101 changes the minimum age for a concealed carry weapons endorsement from 21 to 19 years of age. Additionally, this legislation changes the minimum age requirement for a spouse of a member of the military stationed in Missouri to be eligible for concealed carry endorsement from 21 to 19 years of age.

ASSUMPTION (continued)

DOR states the proposed changes to this section will require the Department to:

- Draft updates to web site information related to concealed carry endorsement issuance;
- Update office procedures;
- Modify forms and notices;
- Work with the Sheriffs' Association to ensure all sheriff agencies are notified of the minimum age change; and
- Develop requirements and testing of modifications to the Missouri Electronic Driver License Central Issuance system and supporting applications to implement the required age edits for non-military from 21 to 19 years of age.

For FY 2014, DOR assumes the following expense within their Driver License Bureau:

Administrative Analyst	120 hrs @ \$24 (1 ½ ) per hr =	\$2,880
Management Analysis Spec II	130 hrs @ \$23 per hr =	\$2,990
Revenue Band Manager	10 hrs @ \$30 per hr =	<u>\$ 300</u>
		\$6,170

DOR also assumes the following expense within their Personnel Services Bureau - Forms, procedure and web updates:

Administrative Analyst III	10 hrs @ \$22 per hr =	\$ 220
Management Analysis Spec I	80 hrs @\$21 per hr =	<u>\$1,680</u>
		\$1,900

DOR also assumes the proposal will have the following impact on the Office of Administration - Information Technology Services Division (OA-ITSD):

Modification of minimum age edit in driver license issuance system. Programming is estimated at 40 hours:

$$1 \text{ CIT at } \$27.05 \text{ per hr} \times 40 \text{ hrs} = \$1,082$$

In summary, DOR assumes a cost of \$9,152 (\$6,170 + \$1,900 + \$1,082) in FY 2014 to implement the changes from this proposal.

DOR also states the change in the minimum age requirement may increase the volume of concealed carry weapon endorsement applicants, which may increase revenue for the driver

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ASSUMPTION (continued)

license or nondriver license fees. The number of applicants is unknown, but expected to be minimal.

**Oversight** assumes DOR is provided with core funding to handle a certain amount of legislative activity each year. Oversight assumes DOR could absorb the costs related to this proposal within their annual budget. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

Officials from the **Boone County Sheriff's Department** state revenues will be generated by lowering the eligibility age from 21 to 19. It is unknown how many persons 19 or 20 years of age will apply for CCW permits with the passage of this legislation. Therefore, an accurate estimation of how much revenue would be generated cannot be provided.

Applicants for a concealed carry permit must submit a nonrefundable fee not to exceed \$100 to the Sheriff to cover various costs included in the application process. **Oversight** assumes a minimal number of new applications will result from this bill and; therefore, will reflect a 'Minimal' amount of fee revenue for the counties.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2014 (10 Mo.)	 FY 2015	 FY 2016
<b>COUNTIES</b>			
<u>Income</u> - to the Sheriffs' Revolving Funds for expanding the concealed carry permit from 21 to 19	<u>Minimal</u>	<u>Minimal</u>	<u>Minimal</u>
 <b>ESTIMATED NET EFFECT TO COUNTIES</b>	 <u>Minimal</u>	 <u>Minimal</u>	 <u>Minimal</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Sections 571.030 - 571.117 changes the minimum age at which a person can be issued a concealed carry endorsement from 21 years of age to 19 years of age.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Attorney General's Office  
Department of Public Safety  
Office of the State Courts Administrator  
Department of Revenue  
Office of the State Public Defender  
Office of Prosecution Services  
Department of Insurance, Financial Institutions and Professional Registration  
Department of Corrections  
Department of Elementary and Secondary Education  
Boone County Sheriff's Department



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