

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO. 2334-01
BILL NO. SB 532
SUBJECT: Firearms and Fireworks; Crimes and Punishment; Assault Weapons.
TYPE: Original
DATE: January 18, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue*	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on <u>All</u> State Funds	(Unknown)	(Unknown)	(Unknown)

* Costs will likely be less than \$100,000.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety, Office of Prosecution Services, and Office of the Attorney General** assume there would be no fiscal impact to their agencies as a result of this proposal.

Officials from the **Office of the State Public Defender** assume that existing staff could provide representation for those 15 - 25 cases arising where the indigent persons were charged with assault weapon violations. However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover the cumulative cost of representing the indigent accused in the additional cases.

Officials of the **Office of the State Courts Administrator (CTS)** stated that this proposal would define "assault weapons" and regulate their sale, transfer, use and ownership. CTS would not anticipate a significant number of additional criminal prosecutions. There may be more counts in some cases, and penalties in some cases may be enhanced. CTS would not expect any appreciable increase in costs to the judiciary.

In response to a similar proposal, officials from the **Department of Corrections (DOC)** stated that they could not predict the number of new commitments which could result from the creation of the offense(s) outlined in this proposal. An increase in commitments would depend on the utilization by prosecutors and the actual sentences imposed by the court. If additional persons were sentenced to the custody of the DOC due to the provisions of this legislation, the DOC would incur a corresponding increase in operational costs either through incarceration (average \$35.00 per inmate, per day) or through supervision provided by the Board of Probation and Parole (average of \$3.00 per offender, per day). Due to the wide variance of newly created crimes and punishments, the fiscal impact as it relates to the DOC is unknown.

The DOC anticipates that new beds might have to be constructed to accommodate the number of offenders receiving longer sentences due to this proposal. At this time, the DOC is unable to determine the number of people that would be convicted under the provisions of this bill to estimate the fiscal impact for additional capital improvements. Estimated construction cost for one new maximum security inmate bed is \$48,800.

Oversight assumes the proposal could result in more offenders being incarcerated or placed on probation. Additional costs for supervision and care by the DOC, although unknown, would likely be less than \$100,000 annually.

