

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB1666H1

House of Origin	<input type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Fowler, Jr.

3. Committee: Courts of Justice

4. Title: Firearms; restoration of rights, petition to any circuit court.

5. Summary: The legislative proposal permits a person prohibited from possessing a firearm because of a felony conviction or a juvenile adjudication of delinquency of certain offenses to petition any circuit court where his felony conviction or adjudication of delinquency occurred for restoration of his firearm rights. Under current law, the person is only permitted to petition the circuit court in the jurisdiction where he resides.

6. Budget Amendment Necessary: Yes. Item 413.

7. Fiscal Impact Estimates: Preliminary. See Items 7a and 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2015	0	0	GF (general)
2016	128,002	2.0	GF
2017	124,802	2.0	GF
2018	124,802	2.0	GF
2018	124,802	2.0	GF
2020	124,802	2.0	GF
2021	124,802	2.0	GF

8. Fiscal Implications According to the Department of State Police (Department), the provisions of this bill create a fiscal impact because additional personnel would be required to review court documents to determine that all firearm disabilities imposed by a felony conviction or adjudication are removed.

Based on the anticipated volume and associated responsibilities, the Department estimates two new positions (Program Support Technicians) will be necessary to review court documents, process the restoration of firearm rights files, and post information to the Central Criminal History (CCH) utilized for the criminal background check. The higher funding amount required in the first year includes one-time nonpersonnel costs.

In 2014, the state restored the rights of more than 5,100 ex-offenders. In each instance, the individual has the option to petition the circuit court for restoration of their firearm rights. The Department has not retained the total number of firearms-related restorations of rights received and processed in relation to a firearms purchase application, however, currently there are 1,568 unprocessed restorations of rights (ROR) documents pending in the Department's Firearms Transaction Center (FTC). The FTC is tasked with ensuring that prospective purchasers of firearms from licensed firearms dealers are eligible to purchase or possess a firearm pursuant to all state and federal firearms laws. No fiscal impact is anticipated on the courts due to this proposal.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, local law enforcement, Courts.

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 2/3/2015-HB1666H1.docx (LAJ)