

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB1909

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Lopez

3. Committee: Militia, Police and Public Safety

4. Title: Prohibition of sale, transfer, etc., of certain firearms magazines; fine.

5. Summary: The proposed legislation provides that any person, corporation, or other entity that manufactures, imports, possesses, purchases, sells, or transfers any large capacity magazine shall be subject to a \$250 fine.

The bill also provides for exceptions to the prohibition, including the owner's registration with the Department of State Police following a criminal history record information check. The willful or intentional making of a materially false statement on the consent form required by the processes required for a criminal history record information check will subject the person making such statement to a \$250 fine.

The bill also provides that a registrant is limited to three large capacity magazines and must otherwise dispose of all magazines in excess of the limit. Finally, the bill outlines the registration process for anyone who owns a large capacity magazine.

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	1,346,938	3.0	GF
2017	373,738	3.0	GF
2018	373,738	3.0	GF
2018	373,738	3.0	GF
2020	373,738	3.0	GF
2021	373,738	3.0	GF

8. Fiscal Implications: According to the Department of State Police (Department), the provisions of this proposal create a fiscal impact on the Department. The implementation of the legislation would require the Department to add a new module to the Firearms System used by the firearms dealers along with a new database for the large capacity magazines. In addition, a re-registration process will need to be added to this new module.

According to the Department, it may take a minimum of 18 months to document detailed system requirements, bid out the system specifications, procure the hardware and software, as well as to develop, test and implement the system.

Further, the Department states that it would require additional staff resources to set up, operate, and maintain the registry. The Department estimates that three full-time positions will be necessary. A full-time Technologist Programmer position (at \$135,000 per year) would be needed in the IT department in order to maintain and support the new registry and perform ongoing maintenance and periodic software and hardware updates.

The Criminal Justice Information Services Division (CJIS) within the Department would need two positions to conduct the associated criminal history record information check and make determinations of eligibility, as well as handle the administrative part of the requests: a Program Support Technician (64,001 in first year, 62,401 in the second year) and one Program Support Technician Senior (67,937 in first year, 66,337 in the second year). The higher cost in the first year includes one-time nonpersonnel costs.

The preliminary estimates of the one-time cost associated with development and implementation of the systems would be \$1,346,938 with an annual ongoing cost of maintaining the systems estimated at \$373,738 to include software maintenance and upgrades as well as personnel costs.

Currently, there is insufficient information available to reliably estimate how much additional revenue could result from this proposed legislation due to a potential increase in fines paid. However, any fines collected under these provisions would be deposited into the Literary Fund.

9. Specific Agency or Political Subdivisions Affected: Department of State Police.

10. Technical Amendment Necessary: According to the Department, the bill may require amendment to comport with federal law as it relates to accessing the National Instant Criminal Background Check System (NICS) for magazine checks.

11. Other Comments: None.

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