

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6454**  
**BILL NUMBER: SB 94**

**NOTE PREPARED:** Apr 11, 2011  
**BILL AMENDED:** Jan 27, 2011

**SUBJECT:** Purchase of Rifles and Shotguns.

**FIRST AUTHOR:** Sen. Holdman  
**FIRST SPONSOR:** Rep. Lehman

**BILL STATUS:** 2<sup>nd</sup> Reading - 2<sup>nd</sup> House

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill makes it a Class C felony for a person to knowingly or intentionally give false information on certain forms or offer false evidence of identity in purchasing or otherwise securing delivery of a firearm.

The bill also repeals a provision that states: (1) a resident of Indiana may purchase a rifle or shotgun in Ohio, Kentucky, Michigan, or Illinois; and (2) a resident of Ohio, Kentucky, Michigan, or Illinois may purchase a rifle or shotgun in Indiana. (This provision was enacted in 1983 in response to the federal Gun Control Act, which allowed sales of rifles and shotguns to a nonresident of a contiguous state only if both states enacted laws allowing the sales. However, this contiguous state requirement of the federal law was amended in 1986 so that firearms dealers can sell to residents of any other state if the purchase is legal under federal law and any applicable state laws.)

**Effective Date:** July 1, 2011.

**Explanation of State Expenditures:** *Purchase of Rifles of Shotguns in Contiguous States:* Removing this language will make Indiana statute consistent with federal statute and is expected to have no fiscal impact.

(Revised) *Penalty Provision:* Currently, it is a Class C felony for individuals to give false information or offer false evidence of identify to purchase a handgun in the state. Current law does not apply to shotguns and rifles. This bill will increase Class C felony convictions to the extent individuals are found guilty of providing false information when purchasing a shotgun or rifle.

A Class C felony is punishable by a prison term ranging from two to eight years depending upon mitigating

and aggravating circumstances. Assuming offenders can be housed in existing facilities with no additional staff, the marginal cost for medical care, food, and clothing is approximately \$4,818 annually, or \$13.20 daily, per prisoner. However, any additional expenditures are likely to be small. The average length of stay in Department of Correction (DOC) facilities for all Class C felony offenders is approximately two years.

**Explanation of State Revenues:** (Revised) *Penalty Provision:* If additional court cases occur and fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class C felony is \$10,000. However, any additional revenues would likely be small.

**Explanation of Local Expenditures:** (Revised) *Penalty Provision:* If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. However, any additional expenditures would likely be small.

**Explanation of Local Revenues:** (Revised) *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, the amounts would likely be small.

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Captain Sherry Beck, Indiana State Police.

**Fiscal Analyst:** Bill Brumbach, 232-9559.