

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6776

BILL NUMBER: SB 154

NOTE PREPARED: Jan 24, 2011

BILL AMENDED: Jan 20, 2011

SUBJECT: Firearms on Off-Road Vehicles or Snowmobiles.

FIRST AUTHOR: Sen. Steele

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) *Handguns and Off-Road Vehicles*- The bill allows a person to carry a loaded and operational firearm while operating an off-road vehicle or snowmobile if: (1) the firearm is a handgun and the person has been issued an unlimited handgun license; (2) the firearm is a handgun and the person is not required to possess a license to carry a handgun; or (3) the person is operating the vehicle on property that the person owns, has a contractual interest in, legally possesses, or has permission from the owner to possess a firearm on.

Effective Date: July 1, 2011.

Explanation of State Expenditures: (Revised) *Summary:* The impact of the exceptions provided by the bill would be minor. There would appear to be few cases where an individual might be arrested for illegal possession of a handgun while operating an off-road vehicle or snowmobile while on private property (i.e., owned, with contractual interest, or with permission of the owner) unless the individual was in the process of committing a crime with the handgun or a non-related crime, to which a law enforcement officer would respond.

Background Information- Carrying a Handgun Without a License- Under current law, a first-time offense for carrying or possessing a handgun without a license is a Class A misdemeanor. If a second violation occurs, the penalty is increased to a Class C felony.

A Class C felony is punishable by a prison term ranging from two to eight years. The average expenditure

to house an adult offender was \$19,307 in FY 2010. (This does not include the cost of new construction.) If 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. The estimated average cost of housing a juvenile in a state juvenile facility was \$68,260 in FY 2010.

Department of Correction (DOC) Commitments for Handgun License Violation- The following table illustrates DOC commitments in 2009 for carrying or possessing a handgun without a license. Commitment to a DOC facility occurs from a felony conviction.

DOC Commitments for Carrying or Possessing a Handgun Without a License (CY 2009)			
Number as a Primary Violation		Number as Secondary Violation	
Carrying	Possession	Carrying	Possession
170	1	29	33

The average sentence length for the above handgun offender commitments is approximately three years.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

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

Information Sources: Department of Correction.

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