

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-3685/2	Introduction Number SB-403
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Description
 Carrying a concealed weapon, possessing or transporting a firearm under certain circumstances, background checks for handgun purchases, photographic identification cards for retired law enforcement officers, requiring the exercise of rule-making authority, providing an exemption from rule-making authority, and providing penalties

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Decrease Costs

Local:

No Local Government Costs
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5.Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Fund Sources Affected	Affected Ch. 20 Appropriations
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS s.20.475(1)(d)	

Agency/Prepared By DA/ Stu Morse (608) 267-2700	Authorized Signature Gail Riedasch (608) 267-3836	Date 11/9/2005
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Fiscal Estimate Narratives

DA 11/9/2005

LRB Number	05-3685/2	Introduction Number	SB-403	Estimate Type	Original
Description Carrying a concealed weapon, possessing or transporting a firearm under certain circumstances, background checks for handgun purchases, photographic identification cards for retired law enforcement officers, requiring the exercise of rule-making authority, providing an exemption from rule-making authority, and providing penalties					

Assumptions Used in Arriving at Fiscal Estimate

It is very difficult to assess the exact increase in District Attorneys offices' workloads were this bill to pass. It is clear, however, that it cause some increase in workload. The magnitude of the increase would depend on two factors:

First, the workload impact on DA offices would be affected by the number of cases referred to the DA office that would be generated solely by the new penalties included in the bill regarding the licensing of concealed weapons.

Second, and the serious factor, are the additional potential criminal cases, wholly unrelated to these created in the bill, which would have not otherwise arisen but for the existence of the legally licensed concealed weapon being in possession of a particular person in a particular place at a particular time. Presumably if this bill became law, whenever a concealed weapon is used or even brandished by a person (who is lawfully allowed to carry it only as a result of the passage of this bill), law enforcement would be legally obligated to investigate that usage and determine if it were legal. The DA office would be involved in all these investigations. This additional workload would include determinations by the DA office as to whether the use or brandishment of the legally concealed weapon was justified or was a crime. In those cases where the DA office determined that it was a crime, it would then be legally obligated to prosecute those crimes. Given the highly lethal nature of the concealed weapons permitted to be carried by this bill, the district attorneys' reviews of the instances of the use or brandishing of the concealed weapons could well be very detailed and time consuming. Further, it is likely that any usages of the legally concealed weapon that the DA office determines were crimes and should be charged as such, would be very serious felonies, which are time consuming to prosecute.

Long-Range Fiscal Implications

If this bill is enacted, as data become available on the actual magnitude of the two factors discussed above, a determination should be made as to whether additional prosecutorial resources will be needed.