

February 12, 2016

The Honorable Janice Pauls, Chairperson
House Committee on Federal and State Affairs
Statehouse, Room 285-N
Topeka, Kansas 66612

Dear Representative Pauls:

SUBJECT: Fiscal Note for HB 2452 by Representative Ward

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2452 is respectfully submitted to your committee.

HB 2452 would amend the definition of “criminal use of weapons.” The bill would prohibit the selling, giving, or transferring of any firearm to any person who is identified in the terrorist screening database, or any successor list or database, maintained and operated by the Federal Bureau of Investigation. A violation would be a severity level eight, nonperson felony.

The bill would also change the criminal severity level from a class A nonperson misdemeanor to a severity level eight, nonperson felony for selling, giving, or transferring any firearm to any person who has been involuntarily committed because of mental illness, alcohol, or substance abuse problems.

The Office of Judicial Administration estimates enactment of HB 2452 would result in additional filings for the crime of criminal use of a weapon; however, the Office cannot estimate the number of additional filings.

The Kansas Sentencing Commission estimates that enactment of HB 2452 would have an effect on the probation population and the agency’s workload; however, the Commission cannot provide an estimate at this time. If the Commission provides an estimate, a revised fiscal note will be issued.

The League of Kansas Municipalities states enactment of the bill could have a fiscal effect on Kansas cities that operate a police department. Because HB 2452 establishes two new

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felonies, police officers could have more reports to complete and additional time could be spent in court testifying as a witness. However, the League cannot estimate a fiscal effect at this time. Any fiscal effect associated with HB 2452 is not reflected in *The FY 2017 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Shelia Sawyer-Tyler, KBI
Willie Prescott, Attorney General's Office
Ashley Michaelis, Judiciary
Cheri Froetschner, Adjutant General's Office
Scott Schultz, Sentencing Commission
Larry Baer, League of Municipalities
Melissa Wangemann, Association of Counties