

STATEMENT OF PURPOSE

RS26151

This legislation provides that a person who is found guilty of or is convicted of misdemeanor domestic violence may not possess, own, or purchase a firearm. If a person who has been convicted of misdemeanor domestic violence is found in possession, owns, or purchases a firearm within two (2) years of the conviction, that person will be guilty of a misdemeanor. This legislation mirrors the Federal Gun Control Act of 1968 that prohibits individuals who are convicted of a misdemeanor crime of domestic violence from possessing a firearm. Currently there is not a state enforcement mechanism; this legislation would allow for state enforcement.

FISCAL NOTE

There were five hundred fifty five (555) misdemeanor convictions in 2017. Based on that information and if five (5) percent of these violate in a given fiscal year, the fiscal impact to revenue derived from fines and fees statewide is estimated to be an approximate net increase of up to \$31,253 per fiscal year. However, the increase in county revenue is expected to be offset by a corresponding maximum increase in costs of approximately \$29,883, which is associated with an increased cost of public defense (\$12,222) and prosecution (\$17,661). Further, increased costs attributable to the direct and indirect cost of arrest, incarceration, and adjudication would also likely be realized, though these costs cannot be quantified at this time due to a lack of direct access to accurate and comprehensive data on such costs. These are estimates that could vary based upon several factors, including conviction rates; fine imposition rates; waiver rates; collection rates; whether city or county magistrate facilities are used; initial pleas from defendants; and public defender and prosecuting attorney workload distributions.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).