

March 4, 2019

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

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2111 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2111 is respectfully submitted to your committee.

HB 2111 would require sellers of firearms, other than a properly licensed federal firearms dealer, to conduct a background check for sales of firearms to individuals other than federal firearms licensees that occur at gun shows or over the internet. Failure to comply with this new requirement would be a class A misdemeanor. No later than one day after the conviction of a person for a violation, the court would be required to notify the Kansas Bureau of Investigation (KBI).

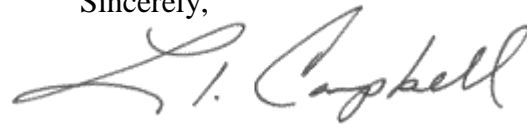
According to the Office of the Attorney General, the enactment of HB 2111 could increase expenditures from the Tort Claims Fund, if the constitutionality of the bill was challenged in court. Depending on the agency's workload, the office may need to retain outside counsel for these additional cases. In addition, the agency may also be asked to prosecute cases by county or district attorneys. The direct cost of these cases would be borne by the county requesting assistance. The agency notes that if it experiences a significant increase in requests, then it may require the hiring of additional prosecutors to handle the cases. The cost for these additional prosecutors would be incurred by the Office of the Attorney General. However, the overall fiscal effect cannot be estimated.

The Office of Judicial Administration indicates the bill could increase the number of cases filed in district courts, as it would create a new crime. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The agency notes that since the new crime would be a misdemeanor, additional staff time would be required to supervise offenders by its court service officers. In addition, because the bill would

require the court to report all convictions to the KBI no later than one day after a conviction, additional workloads would be experienced by the district court clerks. However, the fiscal effect on the courts cannot be estimated.

The KBI indicates the enactment of the bill would have no fiscal effect as it would not require any significant changes to its current system or agency processes. Any fiscal effect associated with HB 2111 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink that reads "L. L. Campbell". The signature is written in a cursive, flowing style.

Larry L. Campbell
Division of the Budget

cc: Janie Harris, Judiciary
Paul Weisgerber, KBI
Willie Prescott, Office of the Attorney General
Chardae Caine, League of Municipalities
Jay Hall, Association of Counties