

March 20, 2024

The Honorable Mike Thompson, Chairperson
Senate Committee on Federal and State Affairs
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Thompson:

SUBJECT: Fiscal Note for SB 549 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 549 is respectfully submitted to your committee.

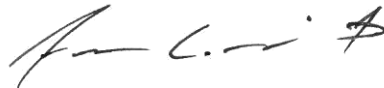
SB 549 would make it unlawful for a person other than a licensed federal firearms dealer, manufacturer, or importer to complete the transfer of a firearm to another person who is not a licensed firearms dealer, manufacturer, or importer without conducting a criminal history record check. The bill describes instances when transfers would and would not be allowed. A transferor could charge a fee, including the cost of a criminal history record check, but the amount could not exceed the ordinary amount charged by a licensed federal firearms dealer, manufacturer, or importer when completing the transfer of the same or similar firearm. Violations of the bill would be a class A misdemeanor and the convicted person would be prohibited from possessing a firearm for two years from the date of the conviction. The court would be required to electronically report the conviction to the Kansas Bureau of Investigation within one day after the conviction. The Kansas Bureau of Investigation would immediately make the information available on the National Instant Criminal Background Check System for the purposes of firearms transfers.

The Office of Judicial Administration reports that the bill could increase the number of cases filed in district court because the bill adds a new crime which would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. Because the bill creates a misdemeanor penalty, there could also be additional supervision of offenders required to be performed by court services officers. In addition, the bill could increase the collection of docket fees, fines, and supervision fees that would be deposited into various county funds, state agency fee funds, and the State General Fund. However, the Office cannot estimate the increase in expenditures and revenues that would be generated by the bill.

The Kansas Bureau of Investigation states that it already reports convictions to the National Instant Criminal Background Check System. Therefore, any additional reporting the bill would require could be absorbed within existing resources. Any fiscal effect associated with SB 549 is not reflected in *The FY 2025 Governor's Budget Report*.

The Kansas Association of Counties reports that the bill could increase the number of violations, which would increase law enforcement and court expenditures. However, the Association cannot estimate a fiscal effect to counties. The League of Kansas Municipalities states that the bill would not have a fiscal effect on cities.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", with a stylized flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Paul Weisgerber, Kansas Bureau of Investigation
Jay Hall, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities