

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7677

BILL NUMBER: SB 384

NOTE PREPARED: Jan 13, 2003

BILL AMENDED:

SUBJECT: Firearms on Off-Road Vehicles and Snowmobiles.

FIRST AUTHOR: Sen. Nugent

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill permits a person to transport a loaded and unlocked firearm while operating an off-road vehicle or snowmobile.

Effective Date: July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues: Under current law, a person commits a Class C infraction by operating a vehicle while transporting a firearm, unless the firearm is unloaded or securely encased. Also under current law, a person commits a Class B misdemeanor by operating a snowmobile while transporting a firearm, unless it is unloaded or securely encased. The bill would eliminate these prohibitions.

If fewer court cases occur and fines are not collected, revenue to both the Common School Fund and the state General Fund would decrease. The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund, and the maximum fine for a Class B misdemeanor is \$1,000, which is deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed for a Class B misdemeanor or the \$70 court fee for a Class C infraction that is collected when a guilty verdict is entered are deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: If fewer court actions are filed and a judgment is entered, local governments would receive less revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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