

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7573

BILL NUMBER: HB 1692

NOTE PREPARED: Feb 28, 2005

BILL AMENDED: Feb 22, 2005

SUBJECT: Firearms in Locked Vehicles.

FIRST AUTHOR: Rep. Koch

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) The bill prohibits the adoption or enforcement of a policy or rule that prohibits or has the effect of prohibiting an individual from legally possessing a firearm that is locked in the individual's motor vehicle while the motor vehicle is in or on the person's property. It excepts possession of a firearm: (1) on school property or a school bus; (2) on certain child care and shelter facility property; (3) on penal facility property; and (4) when permitted under federal law. The bill also provides that a person who does not adopt or enforce such a policy or rule is not liable for resulting damages. It authorizes a civil action for damages, costs, attorney's fees, and injunctive relief to remedy a violation.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues: *Court Fee Revenue:* If additional civil actions occur, revenue to the state General Fund may increase if court fees are collected. A civil filing fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing 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.

State Agencies Affected:

Local Agencies Affected: Trial courts, city and town courts.

Information Sources:

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