

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6225

BILL NUMBER: SB 32

NOTE PREPARED: Mar 29, 2005

BILL AMENDED: Mar 22, 2005

SUBJECT: Handgun Licenses and Noncitizens.

FIRST AUTHOR: Sen. Zakas

FIRST SPONSOR: Rep. Ulmer

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill permits the issuance of a license to carry a handgun only to: (1) citizens; and (2) noncitizens who are allowed under federal law to carry a firearm in the United States. The bill prohibits a person who: (1) is prohibited by court order from possessing a handgun; or (2) has been convicted of a crime of domestic violence (unless a court restores the person's right to possess a firearm); from obtaining a license to carry a handgun.

Effective Date: July 1, 2005.

Explanation of State Expenditures: (Revised) Current statute allows a person to obtain a license to carry a handgun, if the person: (1) does not have a conviction for resisting law enforcement within the 5 years before the person applies for a license or permit, (2) does not have a conviction for a crime for which the person could have been sentenced for more than one year, (3) does not have a record of being an alcohol or drug abuser, does not have documented evidence which would give rise to a reasonable belief that the person has a propensity for violent or emotionally unstable conduct, (4) does not make a false statement of material fact on the person's application, (5) does not have a conviction for any crime involving an inability to safely handle a handgun, (6) does not have a conviction for violation of the provisions of state laws pertaining to weapons and instruments of violence within 5 years of the person's application, and (7) if the person applying for a license or permit is less than 23 years of age, does not have an adjudication as a delinquent child for an act that would be a felony if committed by an adult.

This bill would add two additional types of persons to this list: (1) a person who does not have a conviction for a crime of domestic violence, and (2) a person who is not prohibited by a court order from possessing a

handgun.

Domestic Violence: There are no data available to indicate how many of these licenses were issued to people who have been convicted of a domestic violence crime. To the extent that offenders convicted of domestic violence will not qualify for a handgun license, the state will forego revenues. Persons prohibited by a court order from possessing a handgun are currently unable to obtain a handgun license according to Indiana State Police procedures.

Citizenship: Under the bill, only citizens and noncitizens who are allowed under federal law to carry a firearm may be issued a license. The Indiana State Police currently collect information concerning nationality and citizenship on applications for handgun licensure, but they do not record this information in a database because it does not disqualify an applicant under current state law. There are no data readily available to indicate how many fewer licenses would be issued under this requirement of the bill. To the extent that the number of citizens and noncitizens able to obtain a handgun license is reduced, the state will forego revenues.

Background Information: According to current state law, the fee for a qualified handgun license for hunting and target practice is \$5 and for an unlimited handgun license for the protection of life and property is \$15. Indiana State Police reports that there are between 50,000 and 80,000 applications processed each year. Fees from handgun licenses are deposited in the state General Fund. As of November 2004, 301,084 active handgun licenses have been issued in Indiana. There were 75,518 total handgun licenses issued in CY 2003 totaling \$829,000 in revenue (based on 75% of the total revenue for firearms licensure fees coming from unlimited license fees).

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: (Revised) Each handgun license requires a local application fee of \$10. If fewer licenses are issued under the bill, revenues to the law enforcement agency's Firearms Training Fund or other appropriate training activities fund would decrease. The specific impact of this bill would vary by law enforcement agency and would depend upon local activity.

State Agencies Affected: Indiana State Police.

Local Agencies Affected: Local law enforcement agencies.

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