

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6453

BILL NUMBER: HB 1072

NOTE PREPARED: Dec 12, 2007

BILL AMENDED:

SUBJECT: Unlimited Lifetime Handgun Permit Endorsements.

FIRST AUTHOR: Rep. Walorski

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that:

- (1) a notation on a driver's license or identification card indicates that the holder is an individual who is entitled to an unlimited lifetime license to carry any handgun lawfully possessed by the individual; and
- (2) the holder is not required to carry a handgun license when the individual is in possession of a handgun and the holder's driver's license or identification card with the notation.

It specifies that a person who is no longer entitled to a handgun license and who knowingly or intentionally fails: (1) to promptly return a handgun license; or (2) obtain a replacement driver's license or identification card without the specific notation; commits a Class A misdemeanor.

The bill deletes a conflicting penalty and makes technical corrections.

Effective Date: July 1, 2008.

Explanation of State Expenditures: For the Bureau of Motor Vehicles (BMV), there may be additional, but minimal, expenditures. The BMV already issues endorsements for several other licenses. The fund affected is the Motor Vehicle Highway Account which supports the BMV.

Background Information: The State Police report that in CY 2006, there were 11,208 lifetime handgun permits issued. The lifetime handgun permits began on July 1, 2006. For CY 2007 (through Nov 29), there have been 48,164 lifetime handgun permits issued.

Explanation of State Revenues: *Penalty Provision:* If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class A misdemeanor is \$5,000. Criminal fines are 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 and collected when a guilty verdict is entered would be 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. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$7), judicial salaries fee (\$17), public defense administration fee (\$3), court administration fee (\$3), judicial insurance adjustment fee (\$1), and the DNA sample processing fee (\$1) are deposited into the state General Fund.

Explanation of Local Expenditures: *Penalty Provision:* A Class A misdemeanor is punishable by up to one year in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: The county general fund would receive 27% of the \$120 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. In addition, several additional fees may be collected at the discretion of the judge and depending upon the particular type of criminal case.

State Agencies Affected: Bureau of Motor Vehicles; State Police.

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

Information Sources: Lt. Jerry Berkey, State Police, 317-232-8263.

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