

January 26, 2021

The Honorable John Barker, Chairperson
House Committee on Federal and State Affairs
Statehouse, Room 285A-N
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2059 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2059 is respectfully submitted to your committee.

HB 2059 would allow the state of Kansas to recognize a valid license or permit to carry a concealed firearm issued by another jurisdiction for non-Kansas residents. The bill would also create a provisional license the Attorney General could issue to a person at least 18 years of age, but younger than 21 years of age. If a person holds a valid provisional license at the time the renewal application is submitted, then the Attorney General would issue an adult license. HB 2059 would create exemptions in certain criminal statutes for criminal possession of a firearm, if the person is at least 21 years of age or if the person has a valid concealed carry permit from Kansas or another jurisdiction that is recognized by this state.

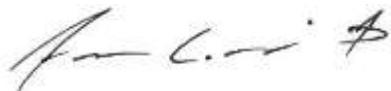
The Office of Attorney General states that the addition of a provisional license would increase applications for those individuals who are 18 to 20 years old. The increase in applications could result in the need for temporary staffing to process applications. The agency receives \$100 for each application. Of this amount, \$47 is remitted to the Kansas Bureau of Investigation (KBI) to pay for the cost to process the state and national background check of each applicant. The remaining \$53 is retained by the Office for operating expenditures. The Office notes that as part of an initial application for a provisional license, each applicant would pay a fee of \$32.50 to the sheriff of the county where the applicant resides. Those fees can be spent on costs incurred in administering the Personal Family Protection Act. The agency also notes if an application is denied and the basis of the denial is administratively challenged, the agency's Concealed Carry Fee Fund pays \$100 per hour to the Office of Administrative Hearings to officiate the challenge. However, the agency cannot estimate how many new licenses would be requested or challenged and therefore a fiscal effect cannot be estimated.

The Office of Administrative Hearings states that the enactment of HB 2059 could increase the number of hearings conducted. However, the additional workload could be absorbed within the agency's existing budget. The Kansas Bureau of Investigation would experience additional costs from fingerprinting; however, the funds received from the Office of the Attorney General would offset the associated expenditures for processing the fingerprints.

The Department of Revenue states that it receives a fee of \$16 to issue a concealed carry handgun license and those fees are used to cover the costs associated with producing the license. The agency states that any expenditures for additional licenses issued would be absorbed within existing resources. Any fiscal effect associated with HB 2059 is not reflected in *The FY 2022 Governor's Budget Report*.

The Kansas Association of Counties states that if courthouse policies regarding concealed carry licenses do not change, the fiscal effect of HB 2059 would be negligible. The League of Kansas Municipalities states that there would be no fiscal effect for cities.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Willie Prescott, Office of the Attorney General
Wendi Stark, League of Municipalities
Jay Hall, Association of Counties
Lynn Robinson, Department of Revenue
Paul Weisgerber, KBI
Cheryl Whelan, Administrative Hearings