

February 16, 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 2222 by Representative Ousley

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2222 is respectfully submitted to your committee.

HB 2222 would create the Kansas Voluntary Do-Not-Sell Firearms List Act that would be established by the Kansas Bureau of Investigation (KBI). The KBI would adopt rules and regulations and develop policies necessary to the implementation of the list. The KBI would not disclose to the public information regarding a request to be placed onto or removed from the list or other personally identifiable information, except to law enforcement. This provision would expire on July 1, 2026. The bill would detail how a person can request placement or removal and how the KBI would handle each request. Criminal use of a weapon would include purchasing a firearm by a person who has been placed on the Kansas Voluntary Do-Not-Sell Firearms List.

The bill would make it unlawful for a person to (1) inquire if a person is on the list for any other purpose other than to determine a person's eligibility to purchase a firearm, (2) knowingly give false information or make a false statement with the intent of placing a person onto the list or removing a person from the list, or (3) discriminate against a person with respect to healthcare services, employment, education, housing, insurance, governmental benefits, or contracting because the person is not on the list, is on the list, or has previously been on the list. Violations would be a class B nonperson misdemeanor.

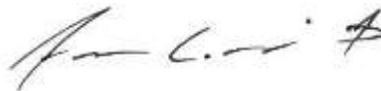
The KBI states that the only similar process they currently provide is the court ordered involuntary commitments and this process takes approximately five minutes to process the order in the KBI systems and to forward it to the National Instant Background Check System. The KBI would use Microsoft Excel to maintain the list. The agency cannot estimate how many requests

would be received to add or remove individuals from the list and therefore a fiscal effect cannot be estimated.

The Office of Judicial Administration states that HB 2222 could increase the number of cases filed in district court and could increase the time spent by district court judicial and nonjudicial personnel for processing, researching, and hearing cases. The Office states that there could be more supervision of offenders required to be performed by the court services officers because the crimes created in the bill carry a misdemeanor penalty. The bill could also increase the collection of docket fees, supervision fees, and fines assessed. However, a fiscal effect cannot be determined because the number of cases cannot be estimated. The Kansas Highway Patrol does not anticipate any fiscal effect from enactment of the bill. Any fiscal effect associated with HB 2222 is not reflected in *The FY 2022 Governor's Budget Report*.

The Kansas Association of Counties indicates that there could be some compliance costs associated with the administration of the program; however, a fiscal effect cannot be determined. The League of Kansas Municipalities states that the bill would not have a fiscal effect.

Sincerely,



Adam Proffitt  
Director of the Budget

cc: Wendi Stark, League of Municipalities  
Jay Hall, Association of Counties  
Debbie Thomas, Judiciary  
Paul Weisgerber, KBI  
Randy Bowman, Corrections  
Sherry Macke, Highway Patrol