

March 25, 2024

The Honorable Mike Thompson, Chairperson
Senate Committee on Federal and State Affairs
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Thompson:

SUBJECT: Fiscal Note for SB 551 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 551 is respectfully submitted to your committee.

SB 551 would create the crime of unlawful storage of a firearm. The bill would require handguns, rifles, shotguns, and other firearms to be secured in a locked container or equipped with a tamper-resistant mechanical lock or safety device when they are not being carried. The bill would require stun guns to be stored in a locked container accessible only to the owner or authorized user. Unlawful storage of a firearm would be an unclassified misdemeanor offense punishable by a fine of no more than \$1,000. If the unlawfully stored firearm has a high-capacity ammunition magazine, the fine would be no more than \$2,000. The bill would establish a severity level 8, nonperson felony penalty if the unlawfully stored firearm is accessed by an unauthorized user or a person under the age of 18 and results in personal injury to or death of a person. The storage requirements would not apply to certain firearms manufactured in or prior to the year 1899 or firearm replicas that are not capable of using rimfire or conventional centerfire fixed ammunition. The bill would define a high-capacity ammunition magazine as an ammunition feeding device that physically extends below the bottom of the grip of a firearm when fully seated in the firearm.

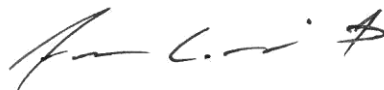
The Board of Indigents Defense Services indicates that the bill would increase agency expenditures on legal counsel and support staff by unknown amounts. The Board estimates that on average, a severity level 8, nonperson felony case requires 35 hours of direct work by an attorney to provide constitutionally adequate representation. Based on the rates of \$83.36 per hour for public defenders and \$120 per hour for assigned counsel, each new severity level 8, nonperson felony case brought to the agency would result in State General Fund expenditures of \$2,918 to \$4,200.

The Judiciary indicates that the bill has the potential to increase the number of cases filed in district courts. This may increase agency operating expenditures due to the additional time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. However, the Judiciary is unable to calculate an exact estimate of this effect. The bill has the potential to increase the collection of docket fees, fines, and supervision fees, which are deposited in the State General Fund; however, the amount of additional collections is unknown.

The Sentencing Commission indicates that the bill has the potential to increase prison admissions and the number of prison beds needed; however, an exact estimate of this effect cannot be determined. The Department of Corrections indicates that the bill could increase agency operating expenditures depending on its effect on prison admissions and beds. Any fiscal effect associated with SB 551 is not reflected in *The FY 2025 Governor's Budget Report*.

The Kansas Association of Counties indicates that the bill has the potential to increase county government expenditures on law enforcement, legal proceedings, and incarceration. The League of Kansas Municipalities indicates that the bill would have no fiscal effect on cities.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", followed by a stylized flourish or symbol.

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Jay Hall, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities
Jennifer King, Department of Corrections
Heather Cessna, Board of Indigents Defense Services
Scott Schultz, Kansas Sentencing Commission