

March 29, 2019

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

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2406 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2406 is respectfully submitted to your committee.

Under the provisions of HB 2406, the court must issue an order requiring the defendant to relinquish all firearms in the defendant's custody, control, or possession, and any conceal carry license issued to the defendant upon:

1. The court's issuance of a qualifying protective order against the defendant; or
2. The conviction of the defendant for domestic battery, any misdemeanor for a domestic violence offense, or certain felony offenses.

A defendant subject to a relinquishment order issued would be required to relinquish all firearms in the defendant's custody, control, or possession to the sheriff of the county in which the court issuing the relinquishment order is located or to a licensed federal firearms dealer. The defendant would also be required to relinquish any concealed carry license issued to the sheriff of the county in which the court issuing the relinquishment order is located.

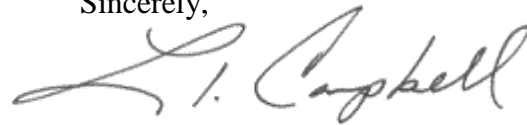
The bill describes the requirements for proof of relinquishment, length of relinquishment, and return of firearms following the expiration of the relinquishment order. The bill specifies that it would be a severity level eight, nonperson felony for a person to possess a firearm or concealed carry license issued while there is a relinquishment order.

The Office of Judicial Administration states enactment of HB 2406 could have a significant fiscal effect on the Judicial Branch, as it could result in more time spent by court employees and judges processing and deciding these cases. According to the Office, a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill's provisions.

The Kansas Sentencing Commission estimates enactment of the bill could have an effect on prison admissions and beds; however, the Commission does not have enough information to estimate an effect. Any fiscal effect associated with HB 2406 is not reflected in *The FY 2020 Governor's Budget Report*.

The Kansas Association of Counties indicates enactment of the bill would have a fiscal effect on Kansas counties; however, the Association does not have enough information to estimate what that effect might be.

Sincerely,

A handwritten signature in cursive script that reads "L. L. Campbell". The signature is written in dark ink and is positioned above the printed name and title.

Larry L. Campbell
Division of the Budget

cc: Janie Harris, Judiciary
Scott Schultz, Sentencing Commission
Linda Kelly, Corrections
Willie Prescott, Office of the Attorney General
Jay Hall, Association of Counties