

January 23, 2012

The Honorable Pat Colloton, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 167-W
Topeka, Kansas 66612

Dear Representative Colloton:

SUBJECT: Fiscal Note for HB 2427 by Representatives O'Brien, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2427 is respectfully submitted to your committee.

HB 2427 would make it illegal to engage in certain actions relating to the entrapment of firearm dealers including:

1. Soliciting, persuading, or enticing licensed dealers or private sellers of firearms and ammunition to transfer firearms and ammunition under circumstances in which the offender knowingly would violate laws of the state or United States;
2. Providing materially false information to licensed dealers or sellers with the intent to deceive them; or
3. Willfully procuring another to engage in conduct prohibited by the bill.

The penalty for offenders who are convicted of the new violations would be a severity level ten nonperson felony. HB 2427 would not apply to law enforcement officers who are acting in an official capacity or to a person acting at the direction of the law enforcement officer.

According to the Kansas Sentencing Commission, enactment of HB 2427 would not have an impact on prison admissions and prison beds. But the bill does have the potential for increasing litigation in the courts because of the new violations created by HB 2427. If it does, the Office of Judicial Administration indicates that there would be a fiscal effect on the operations of the court system. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional

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resources. Any fiscal effect associated with HB 2427 is not reflected in *The FY 2013 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Scott Schultz, Sentencing Commission
Jeremy Barclay, Corrections
Mary Rinehart, Judiciary