

February 7, 2013

The Honorable Arlen Siegfried, Chairperson
House Committee on Federal and State Affairs
Statehouse, Room 185-N
Topeka, Kansas 66612

Dear Representative Siegfried:

SUBJECT: Fiscal Note for HB 2199 by Representative Rubin, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2199 is respectfully submitted to your committee.

HB 2199 states that any personal firearm, accessory or ammunition that is owned or manufactured commercially or privately in Kansas and that remains within the borders of Kansas is not subject to federal law. The bill defines what would be an “accessory.” Also, a firearm manufactured in the state would have to be clearly stamped “Made in Kansas.”

Any federal act, law, treaty, order, rule or regulation which violates the second amendment to the Constitution of the United States would be null and unenforceable in Kansas. Violation of this law would be a severity level ten nonperson felony. If enacted, the bill would not apply to: a firearm that could not be carried and used by one person; ammunition with a projectile that explodes using an explosion of chemical energy after the projectile leaves the firearm; or a firearm that discharges two or more projectiles with one activation of the trigger (excluding shotguns). No physician, other than a psychiatrist, would be able to inquire about an individual’s gun ownership.

HB 2199 would apply to firearms, accessories and ammunition remaining within the borders of Kansas on and after October 1, 2009. If passed, the bill would take effect on its publication in the *Kansas Register*.

Estimated State Fiscal Effect				
	FY 2013 SGF	FY 2013 All Funds	FY 2014 SGF	FY 2014 All Funds
Revenue	--	--	--	--
Expenditure	\$25,000	\$25,000	\$100,000- \$350,000	\$100,000- \$350,000
FTE Pos.	--	--	--	--

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Page 2—HB 2199

The Attorney General states that the fiscal effect of this bill would relate solely to defending legal challenges. The passage of HB 2199 would probably result in multiple law suits and cost approximately \$25,000 in FY 2013, \$100,000 to \$350,000 in FY 2014 and \$100,000 to \$250,000 in FY 2015. The cases would probably have to be outsourced and if the state lost the litigation, it would be ordered to pay the attorneys' fees of the prevailing party. These additional costs would be borne by the State General Fund. Any fiscal effect associated with HB 2199 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", written in a cursive style.

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

cc: Mary Rinehart, Judiciary
Willie Prescott, Attorney General's Office