



**Colorado
Legislative
Council
Staff**

SB16-176

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-1178
Prime Sponsor(s): Sen. Neville T.
 Rep. Neville P.

Date: April 4, 2016
Bill Status: Senate SVMA
Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: NO GOVERNOR AUTHORITY OVER FIREARMS IN EMERGENCIES

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue	Potential minimal increase and decrease. See State Revenue and Expenditures section.	
State Expenditures		
TABOR Impact	Potential increase.	
Appropriation Required: None.		
Future Year Impacts: Ongoing potential minimal increase and decrease.		

Summary of Legislation

This bill eliminates the authority of the Governor to suspend or limit the sale, dispensing, or transportation of firearms during a state of disaster emergency.

Background

Under current law, a disaster emergency is defined as the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin. In such a situation, the Governor has the authority to suspend the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, or combustibles. Since 2012, there have been 49 declarations and extensions of declarations of disaster emergencies related to wildfires, floods, and weather. None of these declarations restricted the sale, dispensing, or transportation of firearms.

State Revenue and Expenditures

In the event that a disaster emergency occurs and the Governor would have suspended or limited the sale, dispensing, or transportation of firearms but is no longer able to do so, revenue and workload may increase as a result of any sales taxes collected from firearm sales (credited to the General Fund) or background checks performed (deposited as cash funds in the Department of Public Safety) as a result of firearm sales and transfers. Workload may also decrease for agencies as a result of not having to enforce the firearms suspension. Given the unpredictable nature of disaster emergencies and no limitations of firearms during recent disaster emergencies, the fiscal note assumes that any change in revenue and workload will be minimal.

Local Government Impact

Similar to the state, not having to enforce a firearms suspension during a disaster emergency may decrease workload for local law enforcement agencies. This analysis assumes any workload reduction is minimal.

Effective Date

The bill takes effect August 10, 2016, if the General Assembly adjourns on May 11, 2016, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Governor
Local Affairs
Sheriffs

Information Technology
Public Safety

Judicial
Revenue