



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 20-1356

FISCAL NOTE

Drafting Number:	LLS 20-0306	Date:	March 11, 2020
Prime Sponsors:	Rep. Sullivan; Jaquez Lewis Sen. Danielson	Bill Status:	House SVMA
		Fiscal Analyst:	Aaron Carpenter 303-866-4918 Aaron.Carpenter@state.co.us

Bill Topic: LOST OR STOLEN FIREARMS

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input checked="" type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill requires firearm owners to report any lost or stolen firearms. Failure to do so is a class 2 petty offense with a second or subsequent offense being a class 3 misdemeanor. This bill will increase state revenue and expenditures, and increase local workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

This bill requires the owner of a firearm who has reasonable cause to believe that the firearm was lost or stolen to report to a law enforcement agency that the firearm has been lost or stolen within 48 hours of making the discovery. Failure to report a lost or stolen firearm is a class 2 petty offense and is punishable by a \$25 fine. A second or subsequent offense is a class 3 misdemeanor. Any law enforcement agency that receives a report must enter available descriptive information related to the firearm into the National Crime Information Center Database.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of an existing crime. The following sections outline data on crimes that are comparable to the offense in this bill and discuss assumptions on future rates of criminal convictions under the bill.

Prior conviction data. This bill creates the new offense of failure to report a lost or stolen firearm, which is a class 2 petty offense or a class 3 misdemeanor for a second or subsequent offense. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of failure to report child abuse by a mandatory reporter as a comparable crime. In the last three fiscal years, 3 individuals have been convicted and sentenced for this existing offense. Of the persons convicted, all 3 were male and White.

Assumptions. Based on the comparable crime data above, an assumed high level of compliance on the part of firearm owners, and the fact that many lost or stolen firearms will not be discovered unless they are later used in a crime, the fiscal note assumes that any increase in criminal case filings and convictions will be minimal. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue and Expenditures

The bill will minimally increase workload for the trial courts in the Judicial Department to hear additional criminal cases starting in FY 2020-21. These new cases may generate additional revenue from criminal fines and court fees. Any additional revenue will minimally increase the state's TABOR refund obligation. No change in appropriations is required for any state agency.

Local Government

Workload for local enforcement agencies will increase to receive reports on lost and stolen firearms and to input information into the National Crime Information Center Database. District attorneys may have additional workload to prosecute cases for failure to report lost or stolen firearms. Lastly, Denver County Court, funded and operated by the City and County of Denver, will have additional workload, and receive additional fine and fee revenue, from any cases that are brought under the bill in that jurisdiction.

Effective Date

The bill takes effect August 5, 2020, if the General Assembly adjourns on May 6, 2020, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Information Technology
Natural Resources

Judicial
Public Safety

Municipalities
Sheriffs