

Appropriations Committee Fiscal Summary

50 (Koretz)

Hearing Date: 8/4/2004
Consultant: Nora Lynn
4-2

Amended: 7/27/2004
Policy Vote: Public Safety

10a

BILL SUMMARY: Effective Jan. 1, 2005, AB 50 prohibits the sale of .50 caliber BMG rifles (BMG rifles). AB 50 authorizes the Department of Justice (DOJ) to register legally-possessed BMG rifles until April 30, 2006; to assess a \$25 registration fee; and to issue dangerous weapons permits for their possession, sale, manufacture and transportation. AB 50 makes it a misdemeanor to possess a BMG rifle that is not registered after April 30, 2007. AB 50 expands existing law to make assault with a BMG rifle a felony punishable by 4, 8 or 12 years in state prison.

Fiscal Impact (in thousands)			
Major Provisions		2004-05	2005-06
2006-07	Fund		
Registration		\$50	See notes
Special*			
Permits, inspections			\$10 See
notes	Special*		
Data processing		\$108	See notes General
Felony expansion	Unknown costs, potentially >\$150		
annually	General		
Misdemeanor	Unknown costs, offset by fines		Local

* Dealers Record of Sale (DROS) Fund; costs fully offset by fees

STAFF COMMENTS: This bill meets the criteria to be placed on the Suspend file.

DOJ staff projects costs to its Firearms Division of \$50,000 to draft regulations, process registrations and modify its public education campaign materials. These costs would be fully offset by the \$25 registration fee. Costs to the Hawkins Data Center to create a new Consolidated Firearms Information System registration and record type are approximately \$108,000 and would not be offset by fees. DOJ further estimates 50 dangerous weapons permits would be issued these rifles, likely to individuals who already have an existing dangerous weapons permit; initial permits are \$126, with additional permits costing \$22. All costs of inspections and processing permits would be borne by fees.

AB 50 makes it a misdemeanor to possess a BMG rifle that is not registered after April 30, 2007, but permits registration for one additional year for those who lawfully possessed a rifle prior to Jan. 1, 2005, but did not register it. It is unknown how many individuals will register BMG rifles or seek a

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dangerous weapons permit in the year following the end of the registration period; costs will likely be minor and fully offset by registration and permit fees.

It is unknown how many individuals will be tried and convicted under PC 245(a)(3) as expanded by AB 50. The Department of

Corrections (CDC) reports that there were 8 prisoners committed to CDC facilities with PC 245(a)(3) as their controlling offense in the 2002-03 fiscal year. If five individuals were convicted under PC 245(a)(3)'s provisions as expanded by AB 50, annual costs would exceed \$150,000.

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	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>	
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Felony expansion	Unknown costs, potentially >\$150 annually			General
Misdemeanor	Unknown costs, offset by fines			Local

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STAFF COMMENTS: SUSPENSE FILE

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AB 50 makes it a misdemeanor to possess a BMG rifle that is not registered after April 30, 2007, but permits registration for one additional year for those who lawfully possessed a rifle prior to Jan. 1, 2005, but did not register it. It is unknown how many individuals will register BMG rifles or seek a dangerous weapons permit in the year following the end of the registration period; costs will likely be minor and fully offset by registration and permit fees.

It is unknown how many individuals will be tried and convicted under PC 245(a)(3) as expanded by AB 50. The Department of Corrections (CDC) reports that there were 8 prisoners committed to CDC facilities with PC 245(a)(3) as their controlling offense in the 2002-03 fiscal year. If five individuals were convicted under PC 245(a)(3)'s provisions as expanded by AB 50, annual costs would exceed \$150,000.