

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 326** HLS 21RS 827

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 25, 2021	4:28 PM	<b>Author:</b> PHELPS
<b>Dept./Agy.:</b> Corrections		<b>Analyst:</b> Rebecca Robinson
<b>Subject:</b> Illegal possession of a handgun by a juvenile		

WEAPONS/HANDGUNS OR INCREASE GF EX See Note  
Provides relative to illegal possession of a handgun by a juvenile

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Present law prohibits a juvenile from possessing any handgun. Proposed law prohibits a juvenile who is on probation or parole from possessing a firearm or carrying a concealed weapon while on probation or parole. Penalties include a fine of \$500-\$1,000 and mandatory imprisonment for not less than six months and not more than five years. At least ninety days shall be served without the benefits of probation, parole, or suspension of sentence.

<b>EXPENDITURES</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>5 -YEAR TOTAL</b>
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Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There will be an increase to the SGF expenditures of the Office of Juvenile Justice (OJJ) to the extent that juveniles are convicted of the possession of a firearm or carrying a concealed weapon while on probation or parole. The exact fiscal impact of the passage of this legislation is indeterminable, since the legislation creates a new crime and it is not known how many juveniles will be convicted of the crime. However, any juvenile convicted under this provision shall be remanded to the custody of OJJ for a **mandatory 90 days** and increases SGF expenditures of \$216.14 per day per juvenile, and \$19,453 per 90 days per juvenile (\$216.14 x 90 days) in a secure facility. The maximum SGF expenditure would be \$394,456 (\$216.14 x 365 days x 5) per juvenile to the extent a juvenile is imprisoned for the maximum 5 years.

**REVENUE EXPLANATION**

There may be an indeterminable increase in local funds revenue as a result of potential fines if a juvenile is convicted of this new crime. The maximum fine is \$1,000 and the potential revenue will accrue to the local governmental entities.

Senate      Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Alan M. Boxberger*

**Alan M. Boxberger**  
**Staff Director**