

Colorado Legislative Council Staff

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 01-0811

Date: February 10, 2001

Prime Sponsor(s): Sen. Gordon

Bill Status: Senate Judiciary

Fiscal Analyst: Geoff Barsch (303-866-4102)

TITLE: CONCERNING SAFE STORAGE OF FIREARMS TO PREVENT JUVENILE POSSESSION OF FIREARMS.

Fiscal Impact Summary	FY 2001/2002	FY 2002/2003
State Revenues		
General Fund - Fine Revenue	\$0	\$0
State Expenditures		
General Fund	\$0	\$0
FTE Position Change	0.0 FTE	0.0 FTE
Other State Impact: None		
Effective Date: 90 days after adjournment, unless a referendum petition is filed.		
Appropriation Summary for FY 2001/2002: No appropriation is required		
Local Government Impact: See Local Government Impact section		

Summary of Legislation

This bill creates a class 3 misdemeanor for negligent storage of a firearm, as defined by the bill. The charge of negligent storage of a firearm applies to the owner of a firearm if a juvenile: possesses the firearm in a public place; uses the firearm in violation of state or federal law; or discharges the firearm. Exceptions are provided if the juvenile uses the firearm:

- while under direct parental or guardian supervision;
- in self-defense;
- while defending his or her home;
- while attending a hunter safety or firearm safety course;
- while at a shooting range;
- while hunting under a valid hunting license; or
- while practicing for or engaging in an organized performance or competition.

State Revenues

Since this bill creates a class 3 misdemeanor, there may be an impact to the state General Fund. The penalty for a class 3 misdemeanor is a fine of \$50 to \$750, a jail term of up to six months, or both. Fine revenue not otherwise appropriated is deposited into the state General Fund. It is at the discretion of the court to impose a fine, a prison sentence, or both. While the amount of fine revenue cannot be determined, Legislative Council staff estimates that 16 percent of all misdemeanor convictions include a fine. The average fine for a class 3 misdemeanor is \$124. Due to the low number of anticipated convictions, **no additional fines are anticipated as a result of this bill.**

Local Government Impact

This bill may have a fiscal impact on local governments due to an increase in class 3 misdemeanor convictions and the associated jail sentences. While the daily cost to house an offender in a county jail facility varies, the FY 2000-01 rate the state pays local jails for holding state inmates is \$49.40 per offender per day. The costs for an offender convicted of a class 3 misdemeanor could be as much as \$8,892. Because the court has the discretion to impose a fine, a jail sentence, or both, any cost to local governments cannot be determined at this time.

State Appropriations

No appropriation is required.

Departments Contacted

Judicial - State Court Administrator and Public Defender's Office