

Colorado Legislative Council Staff Fiscal Note

**FINAL
FISCAL NOTE**

Drafting Number: LLS 08-0047

Date: June 6, 2008

Prime Sponsor(s): Sen. Windels

Bill Status: Postponed Indefinitely

Fiscal Analyst: Marc Carey (303-866-4102)

TITLE: CONCERNING MEASURES TO PREVENT INJURIES RESULTING FROM THE UNSUPERVISED ACCESS TO FIREARMS BY MINORS, AND, IN CONNECTION THEREWITH, REDUCING THE INCIDENCE OF TEENAGE SUICIDE.

Fiscal Impact Summary	FY 2008-2009	FY 2009-2010
State Revenue		
Cash Funds		
Suicide Prevention Coordination Cash Fund	< \$5,000	< \$5,000
State Expenditures	\$0	\$0
FTE Position Change	0.0 FTE	0.0 FTE
Effective Date: The bill was postponed indefinitely by the Senate Appropriations Committee on April 11, 2008.		
Appropriation Summary for FY 2008-2009: None Required.		
Local Government Impact: None.		

Summary of Legislation

This bill specifies that a person commits the crime of criminal storage of a firearm and is guilty of an unclassified misdemeanor if he or she:

- keeps a firearm within any premises that are under his custody or control; and
- through criminal negligence, allows a minor to gain access to a firearm without permission of the minor's parent or legal guardian; and
- the minor obtains access to and uses the firearm to cause death or serious bodily injury to himself or another person, or carries the firearm into a school or school-sponsored event.

The bill defines a minor as an individual 16 or 17 years of age. The bill also specifies several circumstances where the above crime does not apply.

The bill requires a licenced gun dealer to provide a specified written warning regarding storage requirements to the purchaser or transferee of a firearm, and to post the same warning at the purchase counter. Gun show promoters are also required to post the same warning at the entrance of gun shows. Violators of these provisions are also guilty of an unclassified misdemeanor.

Finally, the bill requires the director of the Office of Suicide Prevention within the Department of Public Health and Environment to convene a workgroup by October 1, 2008, to make recommendations regarding the language of the written warning, and address other relevant issues. The workgroup is required to submit its recommendations to the Judiciary Committees of the General Assembly by January 1, 2009.

State Revenue

Fine Revenue. The bill creates two new unclassified misdemeanors: one for the crime of criminal storage and another for not properly displaying the required printed warning. Penalties for both crimes are specified as a fine of between \$50 to \$1,000, with fine revenue deposited in the Suicide Prevention Coordination Cash Fund. A minimal amount of fine revenue (< \$5,000 per year) is assumed under the bill.

State Expenditures

Department of Public Health and Environment, Office of Suicide Prevention. On or after October 1, 2008, the office will convene a workgroup of stakeholders to make recommendations to the General Assembly on the language for the required written warning and any other issues associated with implementation. The bill already contains draft language for the required warning, and no other specific implementation issues are identified. In addition, no geographic diversity for workgroup participants is specified in the bill. Therefore, this fiscal note assumes that the workgroup can be convened and the required report produced for the General Assembly within the office's existing resources. Current funding for the office is \$278,762 and 2.0 FTE.

State Appropriations

No additional appropriations are required in FY 2008-09 to implement this bill.

Departments Contacted

Judicial

Public Safety

Public Health and Environment