

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 17, 2017

TO: Honorable Phil King, Chair, House Committee on Homeland Security & Public Safety

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4200 by Hinojosa, Gina (Relating to the acquisition or attempted acquisition of a firearm by a person prohibited from possessing a firearm.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code to add a provision under which a person commits an offense for the acquisition or attempted acquisition of a firearm, while the person is prohibited from possessing a firearm by state or federal law. The bill would also require a licensed firearms dealer who declines to transfer a firearm to a person because the person is prohibited from possessing a firearm to notify the Department of Public Safety.

The bill would amend the Government Code to require the Department of Public Safety to initiate an investigation if the department receives a report from a licensed firearms dealer who declines to transfer a firearm to a person because the person is prohibited from possessing a firearm.

This analysis assumes the provisions of the bill addressing sanctions for criminal offenses would not result in a significant impact on state correctional agencies. The offense being addressed by the bill is a misdemeanor; therefore there is no significant fiscal impact to state correctional agencies or state populations.

The Department of Public Safety reports the costs to implement the provisions of the bill could be absorbed within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

Source Agencies: 405 Department of Public Safety

LBB Staff: UP, FR, AI, JPo, JGA