

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



Fiscal Note On: **HB 353** HLS 21RS 833

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

|  |         |                                |
|--|---------|--------------------------------|
| <b>Date:</b> April 27, 2021  | 9:12 AM | <b>Author:</b> LANDRY          |
| <b>Dept./Agy.:</b> Public Safety   |         | <b>Analyst:</b> Patrice Thomas |
| <b>Subject:</b> Background Checks on Gun Purchases by Unlicensed Persons |         |                                |

WEAPONS/FIREARMS

OR SEE FISC NOTE LF EX

Page 1 of 1

Provides relative to stronger background checks for gun purchases

Under proposed law, every transfer of a firearm between unlicensed persons requires a background check on the person receiving the firearm. If both parties are unlicensed (not a firearm dealer), both parties shall appear jointly with the firearm at a firearms dealer that will conduct a background check on the person receiving the firearm. Proposed law provides the firearm dealer shall process the background check as if transferring the firearm from their inventory and may charge a reasonable fee for facilitating the transfer. Proposed law provides for exceptions for family members, law enforcement officers, members of the armed forces, security guards, and certain other persons. If an unlicensed person receives a firearm without complying with the proposed law, the person shall be fined up to \$1,000 or imprisonment up to six (6) months, or both.

| <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.      | \$0            | \$0            | \$0            | \$0            | \$0            | <b>\$0</b>           |
| 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         | SEE BELOW      | SEE BELOW      | SEE BELOW      | SEE BELOW      | SEE BELOW      |                      |
| <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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| Local Funds         | SEE BELOW      | SEE BELOW      | SEE BELOW      | SEE BELOW      | SEE BELOW      |                      |
| <b>Annual Total</b> |                |                |                |                |                |                      |

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on state governmental expenditures as a result of this measure. The proposed law prohibits an unlicensed person from receiving a firearm without a background check. The proposed law provides for a fine of up to \$1,000 or maximum imprisonment of six (6) months, or both. Local governing authorities would realize an indeterminable expenditure increase as a result of misdemeanor convictions if an unlicensed person receives a firearm with a background check that may result in incarceration in local facilities. The number of unlicensed individuals that may be charged with and convicted of receiving a firearm without a background check is unknown and the net expenditure impact to local governing authorities is indeterminable.

**REVENUE EXPLANATION**

The proposed legislation may result in an indeterminable increase in local funds revenue as a result of potential fines for an unlicensed person receives a firearm without a background check. The maximum fine assessed is \$1,000. The potential revenue will accrue to the local governing authority.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Alan M. Boxberger*

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