



LEGISLATIVE FISCAL OFFICE  
Fiscal Note

Fiscal Note On: **HB 4** HLS 16RS 102  
Bill Text Version: **ORIGINAL**  
Opp. Chamb. Action:  
Proposed Amd.:  
Sub. Bill For.:

|  |         |                             |
|--|---------|-----------------------------|
| <b>Date:</b> April 13, 2016                                      | 8:32 AM | <b>Author:</b> IVEY         |
| <b>Dept./Agy.:</b> Department of Public Safety & Corrections     |         |                             |
| <b>Subject:</b> Repeals Requirements for Concealed Carry Permits |         | <b>Analyst:</b> Zachary Rau |

WEAPONS/FIREARMS OR SEE FISC NOTE GF EX Page 1 of 2  
(Constitutional Amendment) Provides that the right to keep and bear arms includes the right to carry a concealed handgun without a permit or license  
Present constitution provides that the right of each citizen to keep and bear arms is fundamental and shall not be infringed. Present constitution further provides that any restriction of this right shall be subject to a standard of strict scrutiny by a court in determining its constitutionality.

Proposed constitutional amendment retains these provisions of the present constitution and further provides that the right to keep and bear arms includes the right to possess a concealed handgun without any form of permit or license, unless the person is prohibited from possessing a firearm under the laws of LA or the laws of the United States.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 8, 2016.

| EXPENDITURES   | 2016-17   | 2017-18   | 2018-19   | 2019-20   | 2020-21   | 5 -YEAR TOTAL |
|----------------|-----------|-----------|-----------|-----------|-----------|---------------|
| State Gen. Fd. | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW |               |
| Agy. Self-Gen. | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Ded./Other     | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW |               |
| Federal Funds  | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Local Funds    | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Annual Total   |           |           |           |           |           |               |

| REVENUES       | 2016-17   | 2017-18   | 2018-19   | 2019-20   | 2020-21   | 5 -YEAR TOTAL |
|----------------|-----------|-----------|-----------|-----------|-----------|---------------|
| State Gen. Fd. | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Agy. Self-Gen. | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Ded./Other     | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW |               |
| Federal Funds  | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Local Funds    | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Annual Total   |           |           |           |           |           |               |

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. This bill will add a constitutional amendment to be considered by voters at the statewide election held on November 8, 2016. The Secretary of State may incur minimal ballot printing costs associated with this measure. As a regular practice, the Secretary of State typically budgets for up to 10 constitutional amendments and statewide propositions for the fall statewide elections. To the extent the ballot includes more than 10 constitutional amendments and statewide propositions, the Secretary of State may require additional SGF resources for the November 8, 2016 statewide election.

HB 4 is the constitutional companion bill to HB 6, which provides statutory provisions clarifying the practical intent of HB 4. If enacted, the proposed constitutional amendment would allow state citizens to possess a concealed handgun without obtaining a permit. As a result of the citizenry’s ability to posses concealed handguns without a permit, concealed permits would no longer be needed. Thus, the Concealed Handgun Permit Unit would not have to fund all functions related to handgun permits and expenses regarding the unit would decrease. For reference, the Concealed Handgun Permit Unit has a FY 16 appropriation of approximately \$827,000 funded by the statutorily dedicated Concealed Handgun Permit Fund, which receives revenues via fees charged for concealed handgun permits. **(Expenditure Explanation cont. on Pg. 2)**

REVENUE EXPLANATION

If approved by voters during the November 8, 2016 presidential election, the proposed constitutional amendment will result in an indeterminable decrease in revenues for the statutorily dedicated Concealed Handgun Permit Fund as a result of state citizens’ right to possess a conceal handgun without obtaining a permit. Currently, the Office of State Police collects \$125 for a 5-year concealed handgun permit and \$500 for a lifetime concealed handgun permit. In FY 15, the department issued 15,729 5-year permits and 2,640 lifetime permits, which resulted in \$2,268,213 in revenue. To the extent the constitutional amendment is approved by the voters, the fund would not receive these revenues.

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}

*Evan Brasseaux*  
Evan Brasseaux  
Staff Director



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CONTINUED EXPLANATION from page one:

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**(Expenditure Explanation cont. from Pg. 1)** Funds within the Concealed Handgun Permit Fund also fund expenditures related to the Automatic Fingerprint Identification System (AFIS) and various expenditure categories within the Dept. of Public Safety. For reference, the Concealed Handgun Permit Fund has a FY 16 appropriation of approximately \$5.18 M department-wide with an unencumbered balance of approximately \$934,000.

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}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**