

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington St., Suite 301
Indianapolis, IN 46204
(317) 233-0696
iga.in.gov

FISCAL IMPACT STATEMENT

LS 6488
BILL NUMBER: SB 136

NOTE PREPARED: Feb 1, 2023
BILL AMENDED: Jan 31, 2023

SUBJECT: Conviction Data.

FIRST AUTHOR: Sen. Sandlin
FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State

Summary of Legislation: (Amended) This bill has the following provisions:

- A. It defines "prohibited person" as a person prohibited from possessing a firearm or carrying a handgun.
- B. It requires: (1) the Office of Judicial Administration to establish a system to transmit certain data to assist in determining whether a person is a prohibited person; and (2) a court, immediately after entering a judgment of conviction, to enter this information and the judgment of conviction into the court's system.

Effective Date: July 1, 2023.

Explanation of State Expenditures: (Revised) The Office of Judicial Administration estimates that developing this system would cost between \$50,000 and \$100,000 to develop the application to determine whether a person is a "prohibited person".

The Office and the Indiana State Police shall also jointly establish a protocol governing the data and judgment of conviction information

Additional Information – A "proper person" under IC 35-47-1-7 is permitted to purchase a firearm if the person:

- 1. does not have a conviction for the following: resisting law enforcement; for a crime having more than a one year sentence; crime of domestic violence; for any crime involving an inability to safely

- handle a handgun
- 2. is not prohibited by a court order from possessing a handgun
- 3. has no record of being a record of being an alcohol or drug abuser
- 4. has no documented evidence that the person has a propensity for violent or emotionally unstable conduct
- 5. has no evidence of mental illnesses or insanity
- 6. is not currently designated as dangerous person for purposes of seizing and retaining a firearm

Under IC 35-47-2-1.5, the following persons are not permitted to carry a handgun if they were:

- 1. convicted of a federal or state offense punishable by a term of imprisonment exceeding one year
- 2. a fugitive from justice
- 3. an alien
- 4. convicted of domestic violence, domestic battery, or criminal stalking
- 5. restrained by a protective order
- 6. under indictment
- 7. adjudicated dangerous, a mental defective or committed to a mental institution
- 8. dishonorably discharged from military service or the National Guard
- 9. no longer a U.S. citizen
- 10. younger than 18 or under 23 with an adjudication as a delinquent child

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Indiana State Police; Office of Judicial Administration, Indiana Supreme Court.

Local Agencies Affected: Trial courts with criminal jurisdiction.

Information Sources: Office of Judicial Administration, Indiana Supreme Court.

Fiscal Analyst: Mark Goodpaster, 317-232-9852.