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Office of Research and Drafting

Legislative Budget Office

S.B. 321
136th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Reported by Senate Armed Services, Veterans and Public Safety

Primary Sponsor: Sen. Schaffer

Local Impact Statement Procedure Required: No

Ryan Sherrock, Senior Budget Analyst, and other LBO staff

Highlights

- The departments of Behavioral Health (DBH) and Developmental Disabilities (DDD) could realize costs to provide firearms or ammunition to special police officers on duty at an institution under their jurisdiction.

Detailed Analysis

The bill generally prohibits both the Director of Behavioral Health and the Director of Developmental Disabilities from prohibiting a special police officer from carrying or possessing a firearm while the officer is on duty on the behalf of an institution under the jurisdiction of either department. Also, the bill prohibits a special police officer from possessing, carrying, or discharging a firearm while on duty unless the officer satisfies requirements established by DBH and DDD. Additionally, the bill prohibits a special police officer who is under investigation for alleged violations of standards of conduct from possessing or carrying a firearm until the pending investigation is resolved or specific authorization is granted by the director. Furthermore, the bill specifies that the state does not waive immunity for liability related to the possession or use of a firearm by a special police officer. If any rules need to be updated to allow these officers to carry or possess a deadly weapon or firearm in the circumstances permitted under the bill, there could be minimal rule promulgation costs. Any of these costs would be absorbed with existing resources.

The bill prohibits a special police officer from possessing or carrying a firearm or ammunition while on duty on behalf of an institution unless the firearm or ammunition has been provided, or otherwise approved, by the department. DBH or DDD could realize costs to the extent that firearms or ammunition is provided to officers. The Bureau of Criminal Investigation reports that the costs for issued firearms are variable, depending on the weapon selected; accessories required; purchasing program availability; the amount of actual familiarization,

training, and qualifying that is required; and hard costs at the time. As an example, one possible selection would be the Glock G19 Gen6 with night sights, which costs $509.25, along with a $60 holster and a $100 weapon light, for a total of $669.25 for each special police officer. Also, one box of duty ammunition could cost $30 and two boxes of practice ammunition would cost $30, for a total cost of $60 for each special police officer.

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