

Fiscal Estimate Narratives

DNR 10/29/2021

LRB Number	21-4912/1	Introduction Number	AB-0669	Estimate Type	Original
Description right to carry a weapon in this state					

Assumptions Used in Arriving at Fiscal Estimate

The bill makes several changes to laws that relate to carrying a concealed weapon, shining wildlife, and possessing a firearm on certain properties.

I. Background Information

A. DNR law enforcement staff enforce weapons-related laws that ensure public safety, regulate instances where weapons are discharged from vehicles and roadways, and protect wildlife through the fair chase of game. This enforcement is currently accomplished through weapon transportation restrictions associated with vehicles (e.g., possession of loaded firearms in vehicles, possession of weapons while shining from a vehicle, etc.). This bill generally proposes elimination of those restrictions and changes the regulatory restriction to the discharge of a firearm.

B. Shining Enforcement: The bill maintains that an individual may not shine wildlife while hunting but eliminates the prohibition on shining while possessing a firearm, bow and arrow, or crossbow. Several of the existing provisions that prohibit shining animals while in possession of these weapons are frequently used. By eliminating these provisions, the department will incur additional costs to enforce the prohibition on shining while hunting since it will lead to more investigatory time spent on these types of incidents. Along with additional costs due to more staff time spent on investigations, the department will need to develop and implement new training techniques for all law enforcement staff so they can effectively enforce the remaining laws. Without additional funding, the department will need to re-prioritize the types of trainings that are offered to staff.

C. Prohibitions against carrying firearm, bow or crossbows: The bill eliminates prohibitions against carrying a firearm, bow, or crossbow in a wildlife refuge and eliminates the prohibitions against carrying a firearm, bow, or crossbow while engaging in certain activities, such as operating an all-terrain vehicle or motorboat. On department-owned properties (state parks, trails, forests, etc.), the department is assigned police supervision to enforce all state laws. In some instances, wardens respond to calls that involve violations where an individual is carrying a concealed weapon. In that case, the presence of weapons may have an impact on officer safety or add complexity to the department's contacts with individuals which will require more staff time to complete a thorough investigation.

D. Areas where hunting is prohibited: Under current law, no person may hunt within 1,700 feet of any hospital, sanatorium, or grounds of any school. This bill proposes reducing that restriction from 1,700 feet to 1,000 feet. In these types of areas where there is land available for hunting, this could result in more staff time spent investigating whether or not the hunter was far enough away from the building since hunters will be allowed to hunt in currently prohibited areas. Additionally, the department is responsible for furnishing signs designating the restricted hunting area. A change in this law could result in the need for the department to create more signs, but it is unknown how many signs would be requested.

II. Assumptions

In the last 12 months, the department issued 36 citations for violations of the shining law (that would now become legal under this bill). Although law enforcement contacts can vary greatly in terms of time spent on the incident, assuming an average of two hours per contact, which includes surveillance work, investigation, and paperwork, this equates to approximately 72 staff hours spent on shining investigations. This does not account for numerous instances where wardens conduct follow up for a shining complaint and do not issue a citation (if they do not locate a suspect, etc.) since work time is not tracked to this extent. It is expected that allowing possession of a firearm while shining will increase the time to investigate hunting while shining to more than two hours per contact. The department anticipates that this bill would result in additional, indeterminate costs for staff time and resources spent on investigations, staff time creating and participating in training sessions,

and the cost associated with furnishing required signs.

III. Fiscal Effect

I. Revenue

No impact to revenue is expected.

II. Costs

A. Shining Investigations Training: It is unknown how many hours of training would be necessary, so the fiscal effect is indeterminate; however, for informational purposes, a one-hour training for all credentialed officers is estimated to be \$9,600 (1 hr * \$47.79 * 200 officers), while the cost to prepare the training is estimated to be \$1,200 (20 hrs * \$57.65 for a policy specialist).

B. Areas where hunting is prohibited: It is unknown how many signs would be required to properly mark restricted hunting areas, and it is unknown what the effect on investigation time to investigate hunting in these restricted areas would be; therefore, the fiscal effect of this component to the bill is indeterminate.

Long-Range Fiscal Implications