



**Colorado
Legislative
Council
Staff**

Initiative # 60

**INITIAL FISCAL
IMPACT STATEMENT**

Date: October 30, 2017

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LCS TITLE: REPEAL OF PROVISIONS CONCERNING LARGE-CAPACITY AMMUNITION MAGAZINES

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue Cash Funds	Minimal reduction. See State Revenue section.	
State Expenditures General Fund	Minimal reduction. See State Expenditures section.	

Note: This *initial* fiscal impact estimate has been prepared for the Title Board. If the initiative is placed on the ballot, Legislative Council Staff may revise this estimate for the Blue Book Voter Guide as new information becomes available.

Summary of Measure

If approved by voters at the 2018 general election, this measure repeals the ban on selling and owning large-capacity ammunition magazines. It also repeals the requirement that manufacturers place an identification stamp on large capacity magazines.

Background

In 2013, the General Assembly passed House Bill 13-1224, which banned an individual from selling, transferring or possessing large-capacity magazines and required manufacturers to place identification stamps on large capacity magazines assembled after the law took affect. A large-capacity magazine is defined as a fixed or detachable magazine that can hold more than 15 rounds of ammunition, holds more than 28 inches of shotgun shells, or holds more than eight shotgun shells. The law created four new criminal offenses for violating this law including; a class 2 misdemeanor, two class 1 misdemeanors, and a class 6 felony. Since 2014, there have been 45 large-capacity magazine cases filed with the Judicial Department resulting in four convictions. Of those four convictions, only one resulted in a prison sentence.

State Revenue

The measure reduces state revenue by a minimal amount. Specifically, by eliminating the ban on large-capacity magazines, court fine and fee revenue credited to various Judicial Department cash funds and the General Fund will be eliminated for related criminal offenses. Potential revenue from offenders sentenced to probation will also decrease. Individuals sentenced to probation pay a supervision fee of \$50 a month. However, given that there have only been 45 large-capacity magazine related cases since 2014, fine and fee reduction is anticipated to be minimal.

State Expenditures

If approved by voters, the initiative will decrease Department of Corrections (DOC) expenditures and Judicial Department workload by a minimal amount.

Department of Corrections. By eliminating the ban on large-capacity magazines, the measure decreases DOC incarceration costs. Of the 45 large-capacity cases filed since 2014, only one has resulted in a DOC sentence. As such, this reduction is anticipated to be minimal.

Judicial Department. The measure will reduce workload in the trial courts and probation division of the Judicial Department by a minimal amount as fewer criminal cases will be brought to trial and sentenced to probation. No reduction in appropriations to the Judicial Department are required.

Local Government Impact

If passed, this initiative decreases local government revenue and costs as described below.

Criminal offenses. The measure reduces workload for local law enforcement and district attorneys to investigate and prosecute individuals and manufacturers who violate the large-capacity magazine ban.

Denver county court. For cases heard in Denver County Court, the measure reduces trial court and probation services workload if fewer cases are brought forward. There is also a potential for reduced local revenue from cases that would have resulted in a sentence to probation. Individuals sentenced to probation pay a monthly supervision fee of \$50. These impacts are assumed to be minimal.

County jail. The measure will decrease county jail costs. However, because there has only been two related county court cases that have resulted in a jail term since 2014, this reduction is assumed to be minimal.

Effective Date

If approved by voters, the ballot initiative takes upon proclamation of the Governor within 30 days of the official canvas of votes at the 2018 general election.

State and Local Government Contacts

Revenue
Information Technology

District Attorneys
Corrections

Judicial

Abstract of Initiative 60: Repeal of Provisions Concerning Large-Capacity Ammunition Magazines

This initial fiscal estimate, prepared by the nonpartisan Director of Research of the Legislative Council as of October, 2017, identifies the following impacts:

The abstract includes estimates of the fiscal impact of the initiative. If this initiative is to be placed on the ballot, Legislative Council Staff will prepare new estimates as part of a fiscal impact statement, which includes an abstract of that information. All fiscal impact statements are available at www.ColoradoBlueBook.com and the abstract will be included in the ballot information booklet that is prepared for the initiative.

Initiative #60 is expected to decrease Department of Corrections expenditures and Judicial Department revenue and workload by a minimal amount. Locally, the measure may decrease revenue from court and probation fees and decrease workloads for local law enforcement, district attorneys, courts, county jails, and probation offices. This measure does not require any change in appropriations to any state agency.