

# OFFICE OF FISCAL ANALYSIS

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sHB-6877

AN ACT CONCERNING RISK PROTECTION ORDERS OR WARRANTS AND DISQUALIFIERS FOR FIREARM PERMITS AND ELIGIBILITY CERTIFICATES BASED ON TEMPORARY COMMITMENT UNDER A PHYSICIAN'S EMERGENCY CERTIFICATION.

As Amended by House "A" (LCO 7493)

House Calendar No.: 406

## ***OFA Fiscal Note***

### ***State Impact:***

| Agency Affected                                  | Fund-Effect                   | FY 24 \$         | FY 25 \$      |
|--|-------------------------------|------------------|---------------|
| Mental Health & Addiction Serv., Dept.           | GF - Cost                     | 75,000 - 251,800 | Up to 181,200 |
| State Comptroller - Fringe Benefits <sup>1</sup> | GF - Potential Cost           | 75,700           | 77,600        |
| Resources of the General Fund                    | GF - Potential Revenue Impact | See Below        | See Below     |
| Judicial Dept. (Probation); Correction, Dept.    | GF - Potential Cost           | See Below        | See Below     |

Note: GF=General Fund

### ***Municipal Impact:***

| Municipalities     | Effect                 | FY 24 \$  | FY 25 \$  |
|--------------------|------------------------|-----------|-----------|
| All Municipalities | Potential Revenue Loss | See Below | See Below |

## ***Explanation***

The bill makes various changes affecting firearms permits and eligibility certificates resulting in the following impacts to the state and

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<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

municipalities.

**Sections 4-7** prohibit certain individuals from obtaining a handgun carry permit, handgun eligibility certificate, or long gun eligibility certificate, resulting in a potential revenue loss to state and municipal permitting authorities to the extent that less applications are received.

**Sections 8-9** make some changes to offenses of criminal possession of a firearm which result in a potential cost for incarceration or probation and a potential revenue gain from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$2,500<sup>2</sup> while the average marginal cost for supervision in the community is less than \$800<sup>3</sup> each year.

**Sections 4-11** result in a cost to the Department of Mental Health and Addiction Services (DMHAS) associated with updating the voluntary admission tracking system (VATS) due to the prohibition on obtaining certain gun credentials if committed to a psychiatric hospital under a physician emergency certificate (PEC) for psychiatric treatment, within the prior six months.

VATS is a web-based application used by DMHAS to interface with the Department of Emergency Services and Public Protection (DESPP) licensing application to securely share the name and date of birth of relevant individuals. While the system currently supports voluntary psychiatric bed admissions, the bill extends the required tracking to PECs. This is anticipated to result in increased costs of approximately \$75,000 in FY 24 for system changes. DMHAS could also incur potential staffing costs of up to \$176,800 in FY 24 and \$181,200 in FY 25 (with associated fringe costs to the Office of the State Comptroller of \$75,700

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<sup>2</sup> Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

<sup>3</sup> Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

and \$77,600, respectively) to manage the required tracking and associated training.

Finally, the bill makes various procedural, conforming, and technical changes affecting risk protection orders, which are not anticipated to result in a fiscal impact to the state or municipalities.

House "A" maintains the current practice of requiring two police officers for obtaining a risk warrant for children who pose an imminent risk of injuring other people and possess firearms or other deadly weapons and makes clarifying changes, resulting in no fiscal impact to the state or municipalities.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of affected firearm permit and certificate applications, the number of criminal offenses committed, and inflation.