



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 338

PRINTER'S NO. 1090

PRIME SPONSOR: Sanchez

COST / (SAVINGS)

FUND	FY 2022/23	FY 2023/24
General Fund	\$0	See Fiscal Impact
County Funds		See Fiscal Impact

SUMMARY:

Requires firearm owners to report lost or stolen firearms within 72 hours of discovery.

ANALYSIS:

House Bill 338 Printer's Number 1090 adds Section 6115.1 (Report of theft or loss of firearm) to the Uniform Firearms Act. This section imposes a duty on the owner or other person lawfully in possession of a firearm to report the loss or theft of a firearm within 72 hours of discovery.

The law enforcement agency that receives the notification of a lost or stolen firearm is required to enter the information into the Commonwealth Law Enforcement Assistance Network and National Crime Information Database within 24 hours.

The section imposes penalties for failing to report a lost or stolen firearm. For a first offense, the penalty is a summary offense punishable by a fine of not more than \$500. A second offense is a misdemeanor of the second degree (up to two years in jail and/or a \$5,000 fine). A third or subsequent offense is a misdemeanor of the third degree (up to 5 years in jail and/or a \$10,000 fine).

This legislation would take effect in 60 days upon enactment.

FISCAL IMPACT:

Data are not available to reliably estimate how many individuals may be convicted and sentenced for this new offense. Therefore, the potential fiscal impact on the Commonwealth is indeterminable.

It should be noted that the marginal annual cost to incarcerate an additional inmate in a state correctional institution was \$15,213 in FY 2021/22. This cost assumes that fewer than 300 additional individuals were incarcerated. The average annual cost to incarcerate someone in a state correctional institution in 2022 was \$59,598. Offenders with a maximum sentence of less than two years are typically sent to a county jail.

Marginal costs are not available for county facilities, but the average annual cost to incarcerate someone in a county jail in 2022 was \$43,701.

Any revenue generated by fines in this section would be distributed to counties depending on the location of the penalty pursuant to 42 Pa.C.S. § 3572.

PREPARED BY: Bradley Keen
House Appropriations Committee (D)

DATE: May 19, 2023

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.