



**151st GENERAL ASSEMBLY
FISCAL NOTE**

BILL:	HOUSE BILL NO. 423
SPONSOR:	Representative Mitchell
DESCRIPTION:	AN ACT TO AMEND TITLES 11, 16, 24, AND 29 OF THE DELAWARE CODE RELATING TO BACKGROUND CHECKS FOR FIREARMS SALE, TRANSFER, OR CONCEALED CARRY PERMIT.

Assumptions:

1. This Act becomes effective upon signature by the Governor.
2. This Act creates the Firearm Transaction Approval Program (FTAP) within the State Bureau of Identification (SBI) of the Delaware State Police. It designates the SBI as the point of contact between a Federal Firearms Licensee (FFL) and the federal databases administered by the Federal Bureau of Investigation for conducting background checks for firearm purchases or transfers. Additionally, this Act would enable the SBI to search other databases in addition to the required review of the National Instant Criminal Background Check System (NICS).
3. As of May 2022, Delaware has 376 FFLs. A review of NICS data provided by the SBI from 2010 through 2020 suggests that inquiries and denials have increased, most recently handling 77,057 searches in 2020. It is estimated that anywhere from 40-70% of the total number of annual inquiries received by the SBI may result in the SBI having to investigate in further detail the eligibility of a prospective buyer who may not automatically qualify. Therefore, the SBI will require additional civilian personnel to handle the anticipated increase in workload and additional sworn personnel to investigate statewide transaction violations, retrieve firearms of those prohibited, and investigate other tips received for compliance. The Fiscal Year 2023 costs are estimated at \$1,915,066, and one-time costs are estimated at \$1,762,472 and are as follows:
 - a. Addition of 20.0 FTE positions to the SBI for regulation and enforcement.
 - i. Recurring Costs – \$1,915,066
 1. \$1,574,466 in Fiscal Year 2023 Personnel Costs (9-months of funding), including OECs, for 10.0 FTE, Intelligence Analyst; 1.0 FTE, Lieutenant; 2.0 FTE, Sergeant; 4.0 FTE, Corporal; 1.0 FTE, Network Technician II; 1.0 FTE, Equipment Mechanic III; and 1.0 FTE, Deputy Attorney General.
 2. \$125,000 is estimated for a lease agreement for a facility to house the new positions.
 3. \$215,600 estimated for software support and licensing agreements and high-speed fiber needs.
 - ii. One-Time Costs - \$1,762,472
 1. \$750,000 estimated for information technology software needs.
 2. \$118,976 estimated for computer and technology equipment, office furniture, and other startup costs for the new civilian positions.
 3. \$593,496 estimated for computer and technology equipment, office furniture, vehicle, vehicle outfitting & maintenance, fuel needs, and other startup costs for the new sworn positions.
 4. \$200,000 estimated for server hardware and licensing needs.

5. \$100,000 estimated for network switches, security, access control, and other cabling needs.
4. The Delaware Criminal Justice Information System (DELJIS) anticipates that it would be required to perform programming enhancements to interface the Criminal Justice Information System (CJIS) with the software utilized by the SBI. DELJIS estimates a one-time cost of \$42,800 for this software integration.
5. Lastly, all Fiscal Year 2023 personnel costs have been estimated for 9-months of funding, with the annualization of the remaining 3-months incorporated into subsequent year estimates. Additionally, a 2% inflation cost has been included for projected increases in salary, health insurance, and OECs.

Cost:

	<u>One-Time</u>	<u>Recurring/Operating</u>
Fiscal Year 2023:	\$1,805,272	\$1,915,066
Fiscal Year 2024:		\$2,481,874
Fiscal Year 2025:		\$2,524,699

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Office of the Controller General