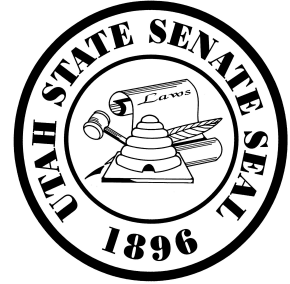




**Performance Note**  
**HB0363S01 - Firearms**  
**Amendments**  
Sponsor: Rep. Greene, Brian M.



**Performance Note Report**

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Author: Joseph Brown

Agency: Department of Public Safety

Funding For:

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New Services or Benefit

Public Benefit:

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**Purpose:** The bill eliminates the requirement and fee for a criminal history background check for the sale of a firearm by a licensed firearm dealer that this state currently does. Accordingly, all firearm purchases will now be required to go through the Federal National Instant Criminal Background Check System or the NICS. Currently, whenever there is a gun purchase in the state, the requester is checked through various databases including Utah criminal history, mental, juvenile, protective orders, etc. Now these databases are all to be uploaded into the NICS database, something that will take years to do.

**Services:** New staff will be needed to research all Utah records (Utah criminal history, mental, juvenile, protective orders, etc.) to make sure they contain enough information and proper information to be put uploaded into NICS. This will be done on a record by record basis as each record must be checked for incomplete data, updated with complete information so it will be accepted into the NICS database. Even with a group of 8 or 9 researchers, this could take years to complete.

**Expected Outcome:** Updating the NICS database with Utah records so that any gun sales run through the NCIS system would have all the Utah information needed to ascertain whether a person would be eligible or not for a gun purchase.&nbsp;

**Implementations and Resources:** DPS will create section in BCI that will research Utah records and prepare these records to upload into the NICS system, this is an ongoing process as the Utah records are continually being added to and updated.&nbsp;

**How:** The NICS system is updated whenever a person wants to purchase a gun. Their records are checked and updated and then put into the NICS system. This bill will require all people's records to be uploaded into the NICS system.

**Performance Measures**

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## Goal

Title: Upload Utah files into the NICS system.

Description: There are several databases that Utah has which contain certain records that would disqualify a person from purchasing a weapon. These are kept by other agencies and must be looked at, updated with the appropriate information, etc. before these records can be uploaded into the NICS system.

Collection Method: Number of records uploaded into the NICS system.

	2018	2019	2020
Annual upload of 5% of Utah records	0.00	5.00	5.00
Currently 0%	0.00	0.00	0.00

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By rule, performance notes are provided by the governmental entity that will supervise the new agency or administer the new program. Performance notes are not written by the Office of the Legislative Fiscal Analyst.