

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1028 - SB 1321

April 5, 2023

SUMMARY OF BILL: Requires the Administrative Office of the Courts (AOC) to conduct a study of individuals convicted under, and the penalties assessed for, the following offenses under Tennessee Code Annotated:

- § 39-17-1307(a)(1): carrying, with the intent to go armed, a firearm or club;
- § 39-17-1307(h)(1): carrying, with the intent to go armed, a firearm by an individual who meets certain other criteria;
- § 39-17-1309(b)(1): possession or carrying, whether openly or concealed, with the intent to go armed, various weapons and explosive devices in any public or private school building or bus, on any public or private school campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by any board of education, school, college or university board of trustees, regents or directors for the administration of any public or private educational institution;
- § 39-17-1311(a): possession or carrying, whether openly or concealed, with the intent to go armed, various weapons in or on the grounds of any public park, playground, civic center or other building facility, area or property owned, used or operated by any municipal, county or state government, or instrumentality thereof, for recreational purposes, and;
- § 39-17-1324(a): possession of a firearm or antique firearm, with the intent to go armed, during the commission of or attempt to commit a dangerous felony.

Requires the AOC to conduct the study utilizing existing resources, and to submit a report of the study's findings to the Chairs of the Judiciary Committee of the Senate and the Criminal Justice Committee of the House of Representatives by January 15, 2024.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The AOC notes that it does not itself have the capability to fully and accurately capture the data that is required by the proposed legislation because its system cannot isolate convictions by subsection, only by part or section. This means the data returned may be comingled with other distinct offenses which share a part or section of the code. This obstacle can be remedied to some degree by separating out the class of offense of the

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various convictions returned in the data and cross-referencing to isolate the desired offense, but this is an imperfect solution.

- However, the AOC asserts that it can, to the extent that it is able, conduct the study and submit the report within existing resources; therefore, any fiscal impact to state government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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