

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2032 - SB 2912

February 17, 2024

SUMMARY OF BILL: Deletes the offense of unlawfully possessing a weapon on property that is posted to prohibit such possession in accordance with the law. Authorizes a person who possesses a valid enhanced handgun permit to lawfully carry a weapon on property for which such possession has been prohibited. Removes the penalty of revocation of a handgun carry permit for a violation of unlawfully possessing a weapon on posted property or failing to notify the Department of Safety (DOS) within 60 days of any change in a permit holders principal place of residence. Deletes the offense of a handgun permit holder failing to notify the DOS of within 60 days of any change in the permit holders principal place of residence.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 39-17-1359(c), it is an offense to possess a weapon in a building or on property that is properly posted in accordance with current law. A violation is a Class B misdemeanor punishable by fine only of \$500. The legislation deletes this offense.
- Pursuant to Tenn. Code Ann. § 39-17-1357(a), a handgun permit holder must notify the DOS of a change in the permit holder's principal place of address within 60 days. Pursuant to Tenn. Code Ann. § 39-17-1358(b), a violation of this requirement is punishable by a fine only not to exceed \$500. The legislation deletes this penalty.
- Because the relevant offenses are punishable by a fine only, there will be no fiscal impact related to incarceration from removing these offenses.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is minimal due to defendants often not being able to pay them; therefore, any decrease in local revenue from fines is estimated to be not significant.
- Pursuant to the proposed legislation, individuals who are otherwise authorized to carry a firearm, including those with a valid concealed handgun carry permit, will still be prohibited from possessing weapons on property that has been posted to prohibit such possession, though there would be no criminal penalty if such individuals refuse to comply.

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- Pursuant to Tenn. Code Ann. § 39-17-1352(a)(6) a handgun permit holder can have their permit revoked for unlawful carrying on a posted property or failing to notify the DOS of a change in the permit holder's principal place of address within 60 days. The legislation deletes this penalty.
- There is no cost to the DOS to revoke a handgun carry permit. Any potential increase in revenue to the DOS related to an increase in permit renewals is estimated to be not significant.
- Providing an exception to authorize valid enhanced handgun permit holders to carry on posted property will not impact the revenue or expenditures of any state or local government.
- Any fiscal impact to state or local 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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