

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 61 – SB 145

March 15, 2017

SUMMARY OF ORIGINAL BILL: Authorizes a gun dealer to sell, exchange, or transfer firearms from the dealer's personal collection without conducting a background check on the buyer.

CORRECTED FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004860): Deletes and rewrites the bill to add a new section to Tenn. Code Ann. § 39-17-1316 clarifying that the criminal history records check does not apply to occasional sales or a used or second-hand firearm by a person not engaged in the business of importing, manufacturing, or dealing in firearms.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the corrected fiscal note.

Assumptions for the bill as amended:

- Tennessee Code Annotated § 39-17-1316 sets forth the necessary procedures for the selling, exchanging, and transferring of firearms by licensed gun dealers.
- The proposed legislation would allow gun dealers to sell their personal firearms without conducting a background check on the buyer.
- Tennessee does not have a law governing the sale of personal firearms between individuals. In these matters, federal law controls.
- Under federal law, gun dealers do not have to conduct a background check when selling a personal firearm to another individual unless the firearm was transferred from the dealer's inventory to his or her personal collection within the previous 12 months.
- Therefore, the proposed legislation will not significantly impact state expenditures or revenue.

HB 61 – SB 145

CERTIFICATION:

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



Krista M. Lee, Executive Director

/trm