

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 510 - SB 601

March 1, 2023

SUMMARY OF BILL: Establishes that a person is justified, under certain circumstances, in using deadly force against another to prevent or terminate the other from committing or attempting to commit certain property offenses. Specifies that the display or brandishing of a weapon does not constitute deadly force, if the display or brandishing of the weapon does not result in death or serious bodily injury.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The proposed legislation establishes that a person is justified in using deadly force against another to protect real or personal property when and to the degree the person reasonably believes deadly force is immediately necessary to prevent or terminate the other from committing or attempting to commit:
 - Arson;
 - Burglary;
 - Robbery;
 - Theft;
 - Trespass;
 - Vandalism;
 - Aggravated cruelty to animals; or
 - Aggravated cruelty to livestock animals; and
 - The person reasonably believes:
 - The real or personal property cannot be protected or recovered by any other means; or
 - The use of force other than deadly force to protect or recover the real or personal property would expose the person or a third person to a risk of death or serious bodily injury.
- Establishing that a person is justified, under certain circumstances, in using deadly force against another to prevent or terminate the other from committing or attempting to commit certain property offenses could result in a decrease in state or local incarceration expenditures for persons that are determined to be justified in the use of deadly force as outlined in the proposed legislation and that would have otherwise been convicted of an offense under current law.

- However, to the extent that this legislation results in additional instances where deadly force is used and the offender is not successful in utilizing the newly established justifications, the proposed legislation could result in an increase in state or local incarceration expenditures.
- The extent and timing of any potential increase or decrease in incarceration costs is unknown and dependent upon the number of persons who will use deadly force against another to prevent or terminate the other from committing or attempting to commit one of the offenses outlined, and the number, if any, of persons that are determined to be justified in the use of deadly force as outlined in the proposed legislation is unknown.
- The net 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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