

FISCAL NOTE

SB 3124 - HB 3292

February 22, 2004

SUMMARY OF BILL: Creates a new offense of assault on a law enforcement officer, correctional officer, employee of the Department of Correction, or private contractor of the Department of Correction. This offense would be punished as a Class E or Class D felony. The bill also creates a new offense of aggravated assault on a law enforcement officer, correctional officer, or employee of the Department of Correction, or private contractor of the Department of Correction. Aggravated assault on a law enforcement officer, correctional officer, employee of the Department of Correction or its contractors would be punished as a Class B felony. Currently, the offense of assault would be punished as a Class A or Class B misdemeanor and aggravated assault would be punished as Class D or a Class C felony.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$1,466,100/Incarceration*
Decrease Local Govt. Expenditures - Exceeds \$100,000
Decrease Local Govt. Revenues - Not Significant

Estimate assumes 221 assaults and aggravated assaults involving law enforcement officers, correctional officers, and correctional employees will be elevated to a Class E, Class D or Class B felonies. Local governments will experience a decrease of expenditures and revenues associated with convictions that had been misdemeanor offenses that will be elevated to felony offenses.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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