

**FISCAL MEMORANDUM
HB 164 – SB 219**

May 20, 2008

SUMMARY OF AMENDMENT (018851): Broadens the Class E felony offense of unlawful possession of a weapon to include all firearms effective July 1, 2008.

FISCAL IMPACT OF CORRECTED ORIGINAL BILL:

Increase State Expenditures - \$26,400/Incarceration*

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$27,500/Incarceration*

Assumptions applied to amendment:

- In FY06, there were 74 admissions to the Department of Correction (DOC) for the Class E felony of possession of a handgun. DOC estimates a five percent (4) increase in convictions when all firearms are included.
- Four additional persons will be convicted of a Class E felony of possession of a weapon and will serve 0.3 years. According to the DOC, the average operating cost per inmate per day for calendar year 2008 is \$62.78. The cost per inmate at 0.3 years is \$6,879.43 (\$62.78 x 365.25 days). The total additional cost for four offenders is \$27,517.72 (\$6,879.43 x 4).
- No significant incarceration cost increase will occur due to population growth in this period.

Tennessee Code Annotated, Section 9-4-210, 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 from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

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

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large initial "J" and a distinct "W".

James W. White, Executive Director

/lsc