

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 596 – HB 923

March 3, 2015

SUMMARY OF ORIGINAL BILL: Creates a new offense for aggressive panhandling. A first offense is punished as a Class C misdemeanor, and a second or subsequent offense is punished as a Class B misdemeanor by fine, imprisonment up to 90 days, or both.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (003756): Deletes provision making it an offense to come within three feet of a person being solicited.

Deletes provision making it an offense to solicit donations while under the influence of alcohol or an illegally used controlled substance.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Under the provisions of the bill, one commits aggressive panhandling who solicits a donation of money or goods in the following manner:
 - Intentionally approaching and coming within three feet of the person being solicited unless the person indicated that he/she wished to make a donation;
 - Intentionally touching the person being solicited without the person's permission;
 - Following the person being solicited after he/she is walking away unless the person has indicated that he/she wished to make a donation;
 - Using profane language or language derogatory to the person being solicited either during the solicitation or following a refusal;
 - Making any statement, gesture, or other communication that would cause a reasonable person to feel fear or personal harm for refusing a solicitation; or
 - While under the influence of alcohol or an illegally used controlled substance.
- The Administrative Office of the Courts and District Attorneys General Conference confirm that the bill will not significantly impact their caseloads. It is assumed that the bill will not significantly impact the District Public Defenders Conference's caseload.

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- The bill will not significantly increase local incarceration costs as it is assumed most offenders will not serve any time for second violations.

CERTIFICATION:

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



Jeffrey L. Spalding, Executive Director

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