

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1586 – HB 1981

March 3, 2016

SUMMARY OF ORIGINAL BILL: Creates a Class E felony for knowingly manufacturing marijuana concentrate by a process which includes the use of an inherently hazardous substance.

Defines “inherently hazardous substance” as any liquid chemical, compressed gas, or commercial product that has a flash point at or lower than 38 degrees Celsius or 100 degrees Fahrenheit, including butane, propane, and diethyl ether.

Creates a Class A misdemeanor for owning, managing, operating, or otherwise controlling the use of any premises and knowingly allowing marijuana concentrate to be manufactured on the premises by a process which includes use of an inherently hazardous substance.

Creates a new offense of aggravated child abuse, neglect, or endangerment when the abuse, neglect, or endangerment results from the knowing exposure of a child to the manufacture of marijuana concentrate by a process which includes use of an inherently hazardous substance.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$555,900/Incarceration*

SUMMARY OF AMENDMENT (013073): Deletes Section 2 of the bill effectively removing the proposed offense of aggravated child abuse, neglect, and endangerment when the abuse, neglect, or endangerment results from the knowing exposure of a child to the manufacture of marijuana concentrate by a process which includes use of an inherently hazardous substance.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

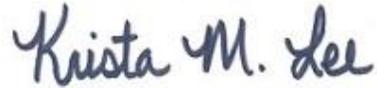
- The manufacture of marijuana concentrates, whether using an inherently hazardous substance or not, is already a criminal offense under Tenn. Code Ann. § 39-17-417 as it involves the manufacture of a Schedule VI controlled substance (tetrahydrocannabinols), which is a Class E felony.

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- The Class E felony for manufacturing marijuana concentrates by a process which includes the use of an inherently hazardous substance will not impact incarceration costs.
- It is assumed that the courts, district attorneys, and public defenders can handle the minimal impact to their caseloads within their existing resources.

CERTIFICATION:

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

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm