

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1715 - SB 1727

February 13, 2016

SUMMARY OF BILL: Broadens the offense of Class A misdemeanor evading arrest to include a person concealing himself or herself from law enforcement.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

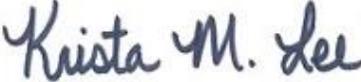
Assumptions:

- Tennessee Code Annotated 39-16-603(a) makes it an offense for any person to flee by any means of locomotion from anyone the person knows to be a law enforcement officer if the person (1) knows the officer is attempting to arrest the person, or (2) has been arrested. The bill broadens the offense to include a person concealing himself or herself from the officer.
- It seems reasonable to presume that a person attempting to conceal themselves from an officer attempting to make an arrest would first need to move away from the arresting officer, and unreasonable to presume that after being arrested a person could conceal themselves without moving away from the arresting officer. In both instances, taking a step away from an officer to attempt concealment would constitute evading arrest under current law.
- It is assumed that there will not be a sufficient number of additional prosecutions for state or local government to experience any significant increase in revenue or expenditures.
- It is assumed that the bill will not significantly impact the courts, district attorney, or public defenders.
- The Administrative Office of the Courts, the District Attorneys General Conference, and the District Public Defenders Conference confirm that the bill will not significantly impact their operations.

HB 1715 - SB 1727

CERTIFICATION:

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

Handwritten signature of Krista M. Lee in blue ink.

Krista M. Lee, Executive Director

/trm