

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1245 - HB 1316

March 2, 2015

SUMMARY OF BILL: Creates a Class A misdemeanor for carrying an explosive, explosive weapon, firearm, hoax device, imitation firearm, machete, or sword openly within 250 feet of a school. Exempts handgun carry permit holders, firearms lawfully carried or possessed within a vehicle, hunters lawfully hunting during season outside school hours, firearms used for instructional purposes, and someone carrying a machete if using a machete is used in their profession.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Under current law, it is a Class B misdemeanor to carry or possess a weapon, including a firearm, on school property. The bill creates a Class A misdemeanor for carrying or possessing a weapon within 250 feet of a school.
- Statistics from the Administrative Office of the Courts show that there is approximately one conviction per year for carrying a weapon on school grounds. These stats show convictions at the trial court level. Most misdemeanors are disposed of in general sessions courts, of which there is no case data. Fiscal Review assumes that one in 10 misdemeanors is taken to the trial court level. It is assumed that there are 10 convictions each year for misdemeanor possession of a weapon on school grounds.
- The bill will increase the number of misdemeanor convictions.
- It is assumed that the bill will result in five Class A misdemeanor convictions each year. However, it is assumed that time served for these five convictions will not result in a significant increase in local incarceration costs.
- Generating five new misdemeanor cases each year will not significantly impact the caseloads of the Administrative Office of the Courts, the District Attorneys General Conference, or the District Public Defenders Conference.

CERTIFICATION:

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

A handwritten signature in black ink, appearing to read "Jeffrey A. Spalding".

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Jeffrey L. Spalding, Executive Director

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