

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 670 - HB 961**

March 18, 2017

**SUMMARY OF BILL:** Creates the *Security Temporary Order of Protection Act* for establishing a security temporary order of protection and the necessary procedure for issuing and enforcing such orders, which prohibit and enjoin a named person from owning, purchasing, possessing, receiving, or having in the person's custody or control any firearm or ammunition.

Permits security temporary orders of protection to be ordered against any person who poses an immediate and present danger of causing personal injury to the subject or to another by owning, purchasing, possessing, receiving, or having in the person's custody or control any firearm or ammunition.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – \$16,700/Recurring/Administrative Office  
of the Courts**

**Increase Local Expenditures – \$1,595,000/One-Time\***

Assumptions:

- The proposed legislation requires the Administrative Office of the Courts (AOC) to create a form for all petitions to seek a security temporary order of protection. The AOC can create the form within its existing resources.
- The proposed legislation requires courts to notify the Tennessee Bureau of Investigation (TBI) of all orders issued, dissolved, or terminated. The reports must be submitted in an electronic format. Courts do not currently have the ability to transmit this information to the TBI in an electronic format. The Tennessee Court Information System (TnCIS) will need to be updated for this capability.
- The TnCIS updates will require 167 hours of programming at a rate of \$100 per hour.
- The proposed legislation will result in a one-time increase in state expenditures to the AOC of \$16,700 (167 hours x \$100).
- The proposed legislation requires each person subject to a security temporary order of protection to surrender all firearms and ammunition to the law enforcement agency that served the order or sell the firearms and ammunition to a licensed gun dealer.
- Law enforcement agencies will need to add storage capabilities to their precincts to accommodate the firearms and ammunition surrendered to them.

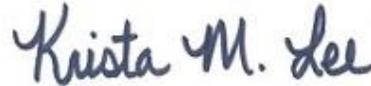
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- Statistics from the AOC's 2014-2015 Annual Statistical Report show 8,105 petitions for an order of protection filed in FY14-15.
- Data from various sources indicate that approximately 44 percent of Tennesseans own firearms.
- It is assumed that 3,566 (8,105 x 44.0%) of current orders of protections sought would be sought under the proposed legislation.
- Law enforcement agencies must retain the firearms surrendered to them until the order expires. It is assumed that each law enforcement agency will need to purchase an additional firearm safe to ensure the firearms are not damaged while in their custody.
- The cost for a sufficient safe to house firearms is estimated to be \$5,000.
- There are approximately 319 local law enforcement agencies in Tennessee.
- The proposed legislation will result in a one-time increase in local expenditures of \$1,595,000 (319 agencies x \$5,000).

*\*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

## **CERTIFICATION:**

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



Krista M. Lee, Executive Director

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