

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL MEMORANDUM**

SB 2292 - HB 2492

June 12, 2020

SUMMARY OF ORIGINAL BILL: Enacts the Protection of Private Property and Sporting Rights Act (Act). Limits the authority of wildlife resource officers (officers) to enter any privately owned property. Prohibits officers from confiscating, taking into possession, or holding any private property, including, but not limited to cash, vehicles, weapons, tools, or wild game without documentation and corroboration that a felony offense has been committed and the presence of a local law enforcement officer. Establishes that any evidence obtained from a search and seizure in violation of the provisions of this Act is inadmissible in any judicial proceeding. Establishes that any arrest made from a search and seizure in violation of this Act invalid. Makes any officer personally and civilly liable for any offense in violation of this Act, including illegal entry onto private property.

FISCAL IMPACT OF ORIGINAL BILL:

Decrease State Revenue - \$181,029/Wildlife Resources Fund

SUMMARY OF AMENDMENT (015496): Deletes all language after the enacting clause. Requires that full-time wildlife resource officers charged with enforcing wildlife laws must have a search warrant to inspect the interior of an automobile.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

On March 4, 2020, a fiscal memorandum was issued with the following fiscal impact:

*Decrease State Revenue - \$900/FY20-21 and Subsequent Years/
Wildlife Resources Fund*

Based on newly submitted information from the TWRA, this impact has been determined to be in error. The corrected fiscal impact is estimated as follows.

(CORRECTED)

NOT SIGNIFICANT

Corrected assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 70-6-101(c), full-time wildlife resource officers charged with enforcing wildlife laws cannot currently inspect a person's dwelling or place of business without a search warrant.
- This legislation will also require a search warrant to inspect the interior of an automobile.
- Based upon information provided by the TWRA, this legislation will simply codify existing practice; therefore, there will be no significant impact on state government.

CERTIFICATION:

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

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

Krista Lee Carsner, Executive Director

/jdb