

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1816 - SB 2016

May 8, 2020

**SUMMARY OF ORIGINAL BILL:** Requires a defendant who commits an offense against a Good Samaritan to be sentenced within the range that is one range higher than the defendant would otherwise be sentenced. Requires a defendant convicted of murder in the first degree for the murder of a person acting as a Good Samaritan to be sentenced to life without the possibility of parole or sentenced to death.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$1,762,600 Incarceration\*

**SUMMARY OF AMENDMENT (017404):** Deletes and replaces all language after the enacting clause. Adds the victim of a murder was acting as a Good Samaritan to the list of statutory aggravated circumstances for a life without the possibility of parole or death penalty sentence consideration by a jury in first degree murder sentence hearings.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- The proposed legislation defines a Good Samaritan as a person who helps, defends, protects, or renders emergency care to a person in need without compensation.
- Any impact to state incarceration resulting from requiring consideration of the statutory aggravating circumstance of a Good Samaritan murder victim for a life without the possibility of parole or death penalty sentence by a jury in a first degree murder sentence hearing is estimated to be not significant.
- Any impact to the court system is estimated to be not significant.

\*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

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

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

/amj