



June 2, 2020

**SUMMARY OF ORIGINAL BILL:** Removes the offense of impersonation of a licensed professional.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (018092):** Deletes all language after the enacting clause. Revises the offense of impersonation of a licensed professional and outlines applicable licenses, certifications, and registrations for which the offense applies. Authorizes a person who is not licensed to engage in a practice and practices or pretends to be licensed to practice in a profession that is not included in the offense of impersonation of a licensed professional to be prosecuted for criminal impersonation. Effective October 1, 2020.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 39-16-302, it is a Class E felony offense for any person who is not licensed to do so, to pretend to be licensed to practice a profession for which a license certifying the qualifications of the license to practice the profession is required.
- Based on the Administrative Office of the Courts, the average number of convictions each year over the last five years for violations of Tenn. Code Ann. § 39-16-302 is 11.2.
- Based on information provided by the Department of Correction, there have been two admissions for convictions of Tenn. Code Ann. § 39-16-302 over the last 10 years.
- Any impact to state incarceration resulting from the proposed legislation is estimated to be not significant.
- Pursuant to Tenn. Code Ann. § 39-16-301(d)(1), criminal impersonation of such professions is a Class B misdemeanor offense.
- There will not be a sufficient number of Class B misdemeanor prosecutions for state or local government to experience any significant increase in revenue or expenditures.
- There will not be a significant impact on the number of cases in the court system for state or local government to experience any significant impact on revenue or expenditures.

**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

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