



June 8, 2020

SUMMARY OF ORIGINAL BILL: Changes, from 14 to 21, the number of calendar days in which a hearing requested by a police officer who has been dismissed, demoted, suspended, or transferred for punitive reasons must be set following the request.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (018268): Adds language to the legislation to require a law enforcement officer to make a report each time the officer uses or threatens to use physical or deadly force on a person. Requires each law enforcement agency in the state to develop a system to document and catalog such reports. Requires the reports and catalog of reports be public record.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact – Due to multiple unknown variables, the mandatory increase in local government expenditures cannot be quantified with reasonable certainty.*

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 38-8-305(a), a police officer who is dismissed, demoted, suspended or transferred for punitive reasons, may within a reasonable amount of time following such action, as set by the officer's agency, request a hearing. If such request is made in a timely manner, a hearing shall be held within a reasonable amount of time set by the agency. The hearing shall be set no later than 14 calendar days following the date of request, unless a later date is acceptable to the police officer.
- Increasing the timeframe by which a hearing is to be set by one week will not result in a significant impact to state or local government expenditures.
- Tennessee has 375 law enforcement agencies. It is unknown how many have systems currently capable of documenting and cataloging the reports required by this legislation for public record. The extent to which those systems must be developed or upgraded is unknown.
- The fiscal impact on local government is dependent on multiple unknown factors and cannot be specifically determined with reasonable certainty. Any increase in local government expenditures would be considered mandatory.

*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.

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

/jmg