



February 19, 2020

SUMMARY OF BILL: Specifies that theft of a firearm worth less than \$2,500 is a Class E felony offense.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$8,415,800 Incarceration*

Decrease Local Expenditures – \$576,000/FY20-21 and Subsequent Years

Assumptions:

- This analysis assumes the average price of a firearm is less than \$1,000; therefore, theft of a firearm is a Class A misdemeanor under current law.
- Pursuant to Tenn. Code Ann. § 39-14-105(d), theft of a firearm is required to be punished by a minimum of 30 days confinement.
- The average cost to local governments to house an inmate in a local jail facility is \$64 per day.
- It is estimated an average of 300 individuals per year are admitted to local incarceration for theft of a firearm.
- Enhancing theft of a firearm to a Class E felony offense will result in a recurring decrease in local incarceration expenditures in FY20-21 and subsequent fiscal years estimated to be \$576,000 (300 admissions x 30 days x \$64).
- Based on population data from the U.S. Census Bureau, population growth in Tennessee averaged 0.81 percent per year for each of the past 10 years (from 2008 to 2018), yielding a projected compound population growth rate of 8.37 percent. Assuming Tennessee's population continues growing by the same rates over the next 10-year period, population growth will account for 25 (300 x .0837) additional admissions for a total of 325 (300 + 25).
- According to the DOC, 30.4 percent of offenders will re-offend within one year of their release. A recidivism discount of 30.4 percent has been applied to this estimate to account for the impact of offenders who would re-offend within the additional time added by the proposed legislation. It is assumed that the re-offender would have committed the subsequent offense at the same felony level (325 offenders x 30.4% = 99 offenders).

- According to the DOC, the average operating cost per offender per day for calendar year 2020 is \$75.52.
- The average time served for a Class E felony is 1.35 years.
- Pursuant to Tenn. Code Ann. § 9-4-210, 226 (325 – 99 recidivism discount) offenders will be admitted every year serving 493.09 days (1.35 x 365.25). The annualized increase in state incarceration expenditures is estimated to be \$8,415,781 ($\$75.52 \times 493.09 \times 226$).

*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.

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

/amj