

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 2236 - HB 2311**

March 4, 2020

**SUMMARY OF BILL:** Creates a Class C misdemeanor offense for advertising the sale of a firearm if the seller intends to sell or transfer the firearm, or does actually sell or transfer the firearm, without conducting a criminal history background check on the buyer. Removes exceptions to criminal history background check for collectors and occasional sales by dealers or other persons.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenue –**

**Exceeds \$25,000/FY20-21 and Subsequent Years/TBI**

**Increase State Expenditures –**

**Exceeds \$25,000/FY20-21 and Subsequent Years/TBI**

Assumptions:

- Pursuant to Tenn. Code Ann. § 39-17-1316(e)(1), licensed gun dealers are required to obtain a criminal history background check on each individual involved in a firearms transaction.
- The fee for a Tennessee Bureau of Investigation (TBI) background check for a firearm purchase through the Tennessee Instant Check System (TICS) is \$10.00.
- Data from various sources indicated that approximately 44 percent of Tennesseans own firearms.
- It is not known how many private firearm sales occur in Tennessee each year.
- It is reasonably estimated that the provisions of the bill will increase the number of background checks by a minimum of 2,500 each year.
- The estimated recurring increase in state revenue to TBI is estimated to exceed \$25,000 (\$10.00 x 2,500) in FY20-21 and subsequent years.
- This fee is charged by TBI to cover the costs incurred to conduct the background check; therefore, an increase in state expenditures to TBI is estimated to exceed \$25,000 in FY20-21 and subsequent years.
- There will not be a sufficient number of Class C misdemeanor prosecutions for state or local government to experience any significant increase in 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

/jmg