

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 581 – SB 1015

March 25, 2013

CORRECTED SUMMARY OF ORIGINAL BILL: Deletes definition of “switchblade” from Tenn. Code Ann. § 39-17-1301.

Repeals Class E felony for intentionally or knowingly, possessing, manufacturing, transporting, repairing, or selling a switchblade knife.

Redefines Class A misdemeanors for selling, loaning, or gifting a firearm to a minor; repeals Class A misdemeanors for intentionally, knowingly, or recklessly selling, loaning, or gifting a switchblade knife to a minor.

Repeals Class C misdemeanor for unlawful carrying or possession of a knife with a blade length exceeding four inches.

Repeals Class E felony for possessing or carrying a switchblade knife in any public or private school building or bus, school campus, grounds, recreation area, athletic field, or any other property owned, used, or operated by any board of education, school, college, or university board of trustees, regents, or directors for the administration of any public or private educational institution.

Allows Tennessee residents to purchase switchblade knives and have such shipped directly to their residences.

Declares that it is the intent of the general assembly for title 39, chapter 17, part 13 to be preemptive over any city, county, or metropolitan government with respect to any regulation of the transfer, ownership, possession, or transportation of knives.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue – Not Significant
Decrease State Expenditures – \$28,400/Incarceration*

Increase Local Revenue – Not Significant
Decrease Local Expenditures – Not Significant

SUMMARY OF AMENDMENT (004120): Deletes Section 5 of the bill which repealed the Class E felony for possessing or carrying a switchblade knife in any public or private school building or bus, school campus, grounds, recreation area, athletic field, or any other property owned, used, or operated by any board of education, school, college, or

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university board of trustees, regents, or directors for the administration of any public or private educational institution.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the corrected fiscal note.

Assumptions for the bill as amended:

- The bill repeals the Class E felony of intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a switchblade knife.
- According to the Department of Correction (DOC), there has been an average of 6.6 admissions for intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, a Class E felony, over the past 10 years. There are currently seven prohibited weapons under Tenn. Code Ann. § 39-17-1302. It is assumed that switchblade knives account for one seventh (1) of the admissions each year. The bill will result in one less admission per year for intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, a Class E felony.
- According to the DOC, the average operating cost per offender per day for calendar year 2013 is \$64.17.
- The average time served for a Class E felony is 1.21 years. The cost to house an inmate for 1.21 years (441.95 days) is \$28,360 (\$64.17 x 441.95). The bill would result in decreased state expenditures totaling \$28,360.
- The bill repeals two misdemeanors relative to switchblade knives and knives with a blade longer than four inches. Repealing these misdemeanors will not have a significant impact on the State. Any decrease in local expenditures to no longer process or house these offenders will not be significant.
- The bill repeals the prohibition against Tennessee residents from purchasing switchblades knives from outside the State. It is assumed that new purchases of switchblade knives will result in increased sale and use tax revenue. Sufficient data is not currently available to determine the exact fiscal impact to tax revenue. It is assumed the impact to state and local government will be not significant.

CERTIFICATION:

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



Lucian D. Geise, Executive Director

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