



March 1, 2024

SUMMARY OF BILL: Enacts the *Suicide Prevention Act of 2024*. Requires the Tennessee Bureau of Investigation (TBI) to establish a program that enables a person to voluntarily waive the person's right to possess, purchase, or transport a firearm. Establishes the process by which such a program must be administered, including the process by which an enrollee may revoke such a voluntary waiver. Requires a completed voluntary waiver form to be submitted to the sheriff's department of the county in which the enrollee resides. Establishes that the TBI must require the person to present a valid photo identification prior to accepting a waiver form. Requires the TBI to provide the person seeking to enroll in the system with information on mental health resources available to the person. Requires the TBI to maintain updated information in the program so that it can be used to flag unlawful transfers of firearms to those who have voluntarily waived their right to purchase or possess them. Requires, upon an enrollee's successful revocation from the program, the TBI to destroy all records related to the person's enrollment and to remove the person from any state or federal databases used by law enforcement to identify prohibited purchasers of firearms in which the person's enrollment was entered.

Creates a Class A misdemeanor offense for the sale of a firearm to someone who is a known enrollee in the program. Establishes that any person that knowingly makes a false statement regarding the person's identity on an enrollment or revocation form for the program commits perjury. Creates a Class A misdemeanor offense for a person who is enrolled in the program to purchase, possess, or transport a firearm.

Effective upon becoming a law for the purposes of implementation. Effective for all other purposes on January 1, 2025.

FISCAL IMPACT:

Increase State Expenditures – Exceeds \$200,000/FY24-25

Assumptions:

- The TBI can create all of the necessary forms, provide information on mental health resources, and maintain and update the information for the program within existing resources.
- The TBI contracts with a vendor for operation and maintenance of its FlexCheck system, which is an online resource that allows law enforcement agencies, court clerks, attorneys

and the public to submit different types of data and reports electronically. The TBI would contract further with the FlexCheck vendor and another vendor to facilitate integration of the program into the FlexCheck system, and to establish a new message key that would allow local law enforcement officers to query the system

- The increase in state expenditures to the TBI for this work, as quoted by the relevant vendors, is estimated to be \$175,000 in FY24-25.
- The legislation also requires an enrollee to present a valid photo identification to the TBI prior to the bureau accepting a completed waiver form. It is unclear exactly how or when in the process this is to occur, as the legislation seems to intend that a completed waiver form be submitted to the local sheriff. It is however assumed that the TBI will need to be able to accept the valid identification online. The TBI does not currently have that capability, nor do any of its current contracted vendors. Given time restraints, the TBI was unable to obtain a formal estimate from another vendor to implement these capabilities. It is assumed that such work would have a project cost of at least \$25,000 in FY24-25.
- The total increase in state expenditures to the TBI to build and implement the revocable voluntary waiver of the right purchase or possess firearms system is estimated to exceed \$200,000 (\$175,000 FlexCheck integration + exceeds \$25,000 online identification capabilities) in FY24-25.
- It is assumed that sheriffs' offices can accept and process completed waiver forms within existing resources.
- It is assumed that licensed firearm dealers will comply with the prohibition on sales of firearms to person enrolled in the program and therefore, will not result in a significant increase in Class A misdemeanor convictions.
- The legislation is not estimated to result in a significant number of additional Class A misdemeanor convictions related to violations of the terms of enrollment or acts of perjury on waiver forms. Any increase in expenditures to local governments related to incarceration is estimated to be not significant.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant; therefore, any increase in local revenue from fines is estimated to be not significant.

CERTIFICATION:

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



Krista Lee Carsner, Executive Director

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