

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2196 - SB 2192**

March 3, 2024

**SUMMARY OF BILL:** Creates a Class B misdemeanor offense for a person to possess a firearm ammunition magazine with a capacity to accept more than 10 rounds regardless of the date on which the magazine was acquired. Creates a Class A misdemeanor offense for a person to manufacture or cause to be manufactured, import, keep for sale, offer or expose for sale, or to give, lend, buy, or receive such a magazine. Provides exemptions for law enforcement agencies and personnel in their official duties. Requires a person who is not lawfully authorized to possess such a magazine to do one of the following: (a) remove the magazine from Tennessee; (b) sell the magazine to a licensed firearms dealer; or (c) surrender the magazine to a law enforcement agency for destruction.

**FISCAL IMPACT:**

**Other Fiscal Impact – There will be a recurring mandatory increase in local expenditures related to incarceration in FY24-25 and subsequent years. Due to unknown variables, a precise estimate of this increase cannot be quantified. \***

**The extent of any impacts on state and local tax revenue cannot be quantified.**

Assumptions:

- It is assumed that all manufacturers of such magazines will comply with the prohibition on manufacture upon enactment. The same is assumed for licensed firearm dealers who currently sell such magazines.
- The extent to which impacted manufacturers will begin production or increase production on other firearm accessories or magazines is unknown. The extent to which lost revenue to licensed firearm dealers will be offset by an increase in the sale of other types of firearm magazines or accessories is also unknown. Therefore, any impacts on state or local tax revenue cannot be quantified with reasonable certainty.
- It is assumed that Class B misdemeanor convictions for possessing such a magazine would occur most often as a result of the possession being discovered in the commission of another crime. It is assumed that the additional Class B misdemeanor offense would not significantly enhance the period of incarceration that may result in such cases.
- Any increase in incarceration related to this offense is otherwise estimated to be not significant.

- It is assumed that people will not be able to purchase such magazines at licensed gun dealers as a result of the legislation.
- However, it is assumed that some such magazines will continue to be sold, purchased, or transferred through illicit channels online, at firearm shows, or other private transactions.
- It is assumed that some of those transactions will result in additional Class A misdemeanor convictions and a mandatory recurring increase in local expenditures related to incarceration.
- Due to the wide range of unknown variables associated with these types of sales and transfers, a precise estimate of such an increase cannot be reasonably determined.
- State and local law enforcement agencies can execute any forfeitures and destruction in the normal course of business without incurring a significant increase in expenditures.

*\*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

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