



March 17, 2023

SUMMARY OF BILL: Establishes that a deputy jailer is considered a law enforcement officer in state law only for the purposes of the enhancement of a crime.

Includes deputy jailers in the definition of first responders for the purposes of enhanced penalties for the offense of assault against a first responder or nurse.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- This analysis assumes individuals charged with assault against first responder pursuant to this legislation would be charged with a Class A misdemeanor offense of assault pursuant to Tenn. Code Ann. § 39-13-101 under current law.
- Pursuant to Tenn. Code Ann. § 39-13-116(c)(1), assault against a first responder is a Class A misdemeanor offense punished by a mandatory fine of \$5,000 and a mandatory minimum sentence of 30 days incarceration.
- The proposed legislation will not result in a sufficient number of additional Class A misdemeanor prosecutions for state or local government to experience any significant increase in revenue or expenditures.
- This analysis assumes individuals charged with aggravated assault against a first responder pursuant to this legislation would be charged with a Class C felony offense of aggravated assault pursuant to Tenn. Code Ann. § 39-13-102 under current law.
- Pursuant to Tenn. Code Ann. § 39-13-116(c)(2), aggravated assault against a first responder is punished by a mandatory fine of \$15,000 and a mandatory minimum sentence of 90 days incarceration.
- Based on information provided by the Department of Correction, the average time served for a Class C felony is 1.63 years after adjusting for pre-trial jail credits.
- While the proposed legislation establishes mandatory sentence minimums, this analysis assumes that the offender will serve the established average sentence length.
- Any fiscal impact to state or local government related to fines or incarceration is estimated to be not significant.

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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