

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1643 - HB 1675

February 9, 2018

SUMMARY OF BILL: Changes the requirements, in which a court must notify a defendant that they must surrender possession of all firearms within 48 hours of notice, to include the domestic assault definition as described in Tenn. Code Ann. § 39-13-111.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Tennessee Code Annotated § 39-13-111(c)(6) currently requires the court to order a defendant, pleading guilty to the federal law domestic violence definition as described in Tenn. Code Ann. § 40-14-109, to surrender all firearms within 48 hours of pleading guilty.
- Tennessee Code Annotated § 40-14-109(b)(1) states that it is a state and federal offense for persons convicted of domestic violence to possess a firearm.
- The proposed legislation adds the definition of domestic violence as described in Tenn. Code Ann. § 39-13-111 to the requirement for a judge to notify a defendant pleading guilty under this section to surrender all firearms within 48 hours when pleading guilty to domestic assault.
- The proposed legislation requires the court to notify a defendant pleading guilty to domestic assault as defined in Tenn. Code Ann. § 39-13-111 and § 40-14-109(a)(1) to surrender all firearms within 48 hours.
- Any impact to the caseloads of the courts, public defenders, and district attorneys can be accommodated within their existing resources.

CERTIFICATION:

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

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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