TENNESSEE GENERAL ASSEMBLY FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1605 - SB 1722

February 23, 2024

SUMMARY OF BILL AS AMENDED (014290): Prohibits a local education agency (LEA) or public charter school from displaying, or permitting any of its employees or agents to display, any flag other than certain identified flags on or in a public school. Authorizes a student, a student's parent or guardian, or a school employee to file a civil action against the LEA or public charter school in which the student is enrolled, or the school employee is employed, in chancery court, if the LEA or public charter school does not remedy a violation within 10 days of receiving a written notice of the violation from the student, parent or guardian, or school employee.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- The proposed legislation permits only the following flags to be displayed on or in a public school:
 - The United States and official Tennessee state flags;
 - Historical flags pursuant to Tenn. Code Ann. § 4-1-412;
 - The Prisoner of War/Missing in Action flag and flags representing an Indian tribe;
 - Flags of a local government or other political subdivision;
 - Armed forces and Reserve Officers' Training Corps flags;
 - Flags that represent a country or political subdivision thereof;
 - Flags that represent a college or university;
 - A flag displayed temporarily as part of a course curriculum; and
 - Official school flags and flags of organizations permitted to use a school building; provided that the latter may only be displayed at the time and place that the organization is authorized to use school property.
- It is assumed that LEAs and public charter schools will only display the permitted flags, and thereby avoid litigation. Any fiscal impact to the court system is considered not significant.
- LEAs and public charter schools will be able to remove any flag not permitted by the proposed legislation within existing resources and during the normal course of business. Therefore, any impact to state or local expenditures is estimated to be not significant.

CERTIFICATION:

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

Kiista Lee Caroner

Krista Lee Carsner, Executive Director

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