



February 4, 2024

SUMMARY OF BILL: Expands the definition of "racketeering activity" under the *Racketeer Influenced and Corrupt Organization (RICO) Act of 1989* to include committing, conspiring to commit, aiding, attempting to aid, soliciting, coercing, facilitating, or intimidating another person to commit the criminal offense of animal fighting.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Racketeering activity means to commit, attempt to commit, conspire to commit, or to aid, attempt to aid, solicit, coerce, facilitate, or intimidate another person to commit one of 69 criminal offenses.
- The proposed legislation adds the offense of animal fighting to the list of criminal offenses included in racketeering activity.
- Pursuant to Tenn. Code Ann. § 39-14-203, animal fighting is a Class E felony; if the offense involved a cock, it is a Class A misdemeanor.
- Pursuant to Tenn. Code Ann. § 39-12-205(a), a RICO violation is a Class B felony offense. The penalty is enhanced to a Class A felony offense if the conviction is based upon a pattern of racketeering activity that involved a homicide.
- Based upon information provided by the Department of Correction, there has been an average of 0.10 admissions per year over the last 10 years for the Class E felony offense under Tenn. Code Ann. § 39-14-203 for animal fighting.
- Based on information provided by the Administrative Office of the Courts and the Department of Correction Jail Summary Reports, there have been an average of 5.65____ Class A misdemeanor convictions of animal fighting in each of the last five years
- There will not be a sufficient change in the number of prosecutions for state or local government to experience any significant change in revenue or expenditures.
- Any impact to the court system as a result of the proposed legislation 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. The proposed legislation will not significantly change state or local revenue.

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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