



February 14, 2024

SUMMARY OF BILL: Prohibits a person charged with a Class A or B felony from being released on their own recognizance. Requires a magistrate to set bail for a person charged with a Class A felony at \$20,000 or more and for a person charged with a Class B felony at \$10,000 or more.

FISCAL IMPACT:

Other Fiscal Impact – Passage of the proposed legislation may result in an increase in local incarceration expenditures; however, the precise timing and impact is dependent on multiple unknown factors and cannot be determined with reasonable certainty.

Assumptions:

- Pursuant to Tenn. Code Ann. § 40-11-115(d), a person charged with a Class A or Class B felony offense shall not be released on their own recognizance without the approval of a general sessions judge, criminal court judge, or circuit court judge having jurisdiction over the current charges.
- Pursuant to Tenn. Code Ann. § 40-11-116(b), if a defendant does not qualify for a release upon recognizance, then a magistrate is authorized to impose conditions to assure the defendant's appearance in court, including, but not limited to, the deposit of bail.
- Requiring bail for a person charged with a Class A felony be \$20,000 or more and for a person charged with a Class B felony be \$10,000 or more to ensure the appearance of the person as required may result in an increase in local incarceration expenditures for persons unable to post bail.
- However, due to multiple unknown factors, such as the number of persons that will be charged with a Class A or Class B felony and be unable to post bail and the additional amount of time they would serve in local jail pending trial, the extent and timing of any such increase cannot be quantified with reasonable certainty.

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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