

according to an average person applying contemporary community standards

The law, introduced by Rep. Susan Lynn, R-Mt. Juliet, and Sen. Joey Hensley, R-Hohenwald, takes effect July 1. Lee signed the measure into law on Friday.

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 841 - SB 1059

March 17, 2023

SUMMARY OF BILL AS AMENDED (005934): Establishes that it is unlawful for a book publisher, distributor, or seller to knowingly sell or distribute obscene matter to a public school serving any of the grades kindergarten through twelve (K-12). Creates a Class E felony for a violation of this section and establishes that a violator shall be fined an amount not less than \$10,000 nor more than \$100,000.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Tennessee Code Annotated §39-17-902 prohibits the production, preparation, and distribution of obscene material to minors pursuant to 18 U.S.C. 2257.
- The proposed legislation specifies that it is unlawful for book publishers, distributors, or sellers to knowingly sell or distribute obscene material to a public school serving students in grades K-12 and creates a Class E felony and fines for violators.
- It is assumed that book publishers, distributors, and sellers will comply with the proposed obscene material provisions and will avoid any violations.
- There will not be a sufficient change in the number of Class E felony prosecutions for state government to experience any significant change in revenue or expenditures. Any fiscal impact is estimated to be not significant.

CERTIFICATION:

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

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

/ah

HB 841 - SB 1059

