

FISCAL NOTE

SB 17

January 24, 2007

SUMMARY OF BILL: Broadens existing offense of kidnapping and renames portion of offense "involuntary servitude." Includes additional activity such as blackmail, destruction of immigration documents, and financial harm resulting in involuntary servitude. Creates a new Class C felony of involuntary servitude for knowingly subjecting, or attempting to subject, another person to forced labor or services. If the violation results in serious bodily injury, death, exceeds one year or the defendant held ten or more victims in servitude at any time during the course of the defendant's criminal episode, it becomes a Class B felony. Creates a new Class D felony for knowingly trafficking persons for forced labor or services.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$59,300/ Incarceration*

Assumptions:

- The expanded definition of involuntary servitude compared to kidnapping under existing law will result in additional convictions.
- One additional Class B felony conviction for involuntary servitude every other year with 2.4 years time served (876.6 days). The annualized time served per conviction is 438.3 days (0.50 annual number of convictions x 876.6 days served). According to the Department of Correction, the average operating cost per inmate per day for calendar year 2007 is \$60.16. The annualized cost per conviction is \$26,368.13 (0.50 x 876.6 x \$60.16).
- One offender per year will serve 0.9 years (328.73 days) for an additional Class C felony conviction for involuntary servitude. The cost per inmate at 0.9 years is \$19,776.40 (\$60.16 x 328.73 days).
- One offender per year will serve 0.6 years (219.15 days) for an additional Class D felony conviction for trafficking persons for forced labor or services. The cost per inmate for 0.6 years is \$13,184.06 (\$60.16 x 219.15 days).
- No significant incarceration cost increase will occur due to population growth in this period.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "James W. White". The signature is written in a cursive style with a large, sweeping initial "J".

James W. White, Executive Director