

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1129 – SB 1744

March 8, 2010

SUMMARY OF AMENDMENT (015015): Deletes the provision in the original bill that states the presumptive sentence for a violation of a Class A drug offense, pursuant to Tenn. Code Ann. § 39-17-417, which occurs within the prohibited zone shall be the maximum within the range. Requires any defendant who is sentenced for such violation, in addition to any other condition of probation or parole, to perform community service work at regular intervals and in an amount to be determined by the sentencing judge for any period of time during which the defendant is not incarcerated due to the suspension of the defendant's sentence or the defendant being granted parole.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$44,300/Incarceration*

**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.*

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures – Not Significant

Assumptions applied to amendment:

- According to the Board of Probation and Parole, many offenders already perform community service work. The proposed amendment will not have a significant fiscal impact on the Board.

- Any cost can be accommodated within existing resources without an increased appropriation or reduced reversion.

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, reading "James W. White". The signature is written in a cursive style with a large initial "J" and "W".

James W. White, Executive Director

/lsc