

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1129 – SB 1744

May 4, 2010

**SUMMARY OF AMENDMENTS (015015, 016705, 018243):** 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. Amendment 016705 changes the effective date to July 1, 2010, rather than July 1, 2009. Amendment 018243 requires any person convicted of such violation within any prohibited zone to be subject to additional fines imposed by this bill but not subject to additional incarceration.

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 AMENDMENTS:

**Increase State Expenditures – Not Significant**

Assumption applied to amendments:

- 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 that reads "James W. White".

James W. White, Executive Director

/lsc

HB 1129 – SB 1744