

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 844 – HB 919

June 1, 2010

SUMMARY OF AMENDMENT (018806): Deletes the language of the original bill. Changes the method for determining whether a person convicted of two or more DUI offenses should be punished as a multiple offender. Under current law, any person convicted of a second DUI offense within 10 years of a prior DUI conviction shall be punished as a multiple offender. Under this bill as amended, a person convicted of a second DUI offense shall be punished as a multiple offender if less than 10 years have elapsed from the date of the immediately preceding DUI violation (when the preceding violation resulted in a conviction) to the date of the present DUI violation. The amendment also changes the effective date from July 1, 2009, to July 1, 2010.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – Not Significant

Increase Local Revenue - \$36,100/Recurring

Increase Local Expenditures - \$252,600/Recurring*

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions applied to amendment:

- The increase of multiple DUI offenders under this bill as amended is estimated to be comparable to the increase of multiple DUI offenders estimated for the original bill. As a result, the fiscal impact estimated for the bill as amended is unchanged from the fiscal impact estimated for the original bill.

- Changing the effective date provision will not change the fiscal impact estimated for the original bill.

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 initial "J" and a distinct "W".

James W. White, Executive Director

/rnc