

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 127 - SB 932

March 30, 2009

SUMMARY OF BILL: Increases the fine for vandalism of a place of worship and requires offenders to receive a fine one classification higher than is currently provided for these offenses. Vandalism is currently punished as theft with a sentence ranging from a Class A misdemeanor to a Class B felony depending on the value of the property. Fines for misdemeanor offenses range from \$50 to \$2,500. Fines for felony offenses range from \$3,000 to \$25,000. Defines “place of worship” as any structure qualified for tax exemption and utilized by a religious institution as the site of congregational services, rites, or activities communally undertaken for the purpose of worship.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – Not Significant

Increase Local Revenue – Not Significant

Assumptions:

- According to the Tennessee Bureau of Investigation’s 2007 Crime in Tennessee Report, statewide there were 75,572 offenses of destruction, damage and vandalism with 1.09 percent of those (831) being a religious facility.
- According to the Administrative Office of the Courts, there has been an average of 402 Class A misdemeanors convictions in each of the past five years. Total convictions, including general sessions courts, are estimated to be an average of 4,020 per year.
- According to DOC, there has been an average of 27 admissions for a Class E felony offense of vandalism, 39 admissions for a Class D offense, 8 admissions for a Class C offense, and 2 admissions for a Class B offense in each of the past 10 years.
- Based on the Fiscal Review Committee’s 2008 study of incarceration costs and fines, collection of fines for felony offenses is negligible. There will not be a significant increase in state revenue as a result of the mandatory minimum fines for these offenses.

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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 a distinct "W".

James W. White, Executive Director

/lsc