

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 727 - SB 1550

March 13, 2009

SUMMARY OF BILL: Creates a Class C misdemeanor offense for smoking cigarettes, pipes, or cigars in a motor vehicle in which a child is present who is restrained or meets restraint requirements. A violation is punishable by a fine only which is designated for the Child Safety Fund.

ESTIMATED FISCAL IMPACT:

**Increase State Revenue – \$47,500/FY09-10/Child Safety Fund
\$95,000/FY10-11 and Subsequent Years/Child Safety Fund
Increase State Expenditures – Not Significant**

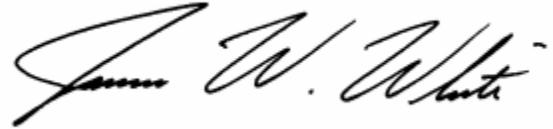
**Increase Local Revenue - \$2,500/FY09-10
\$5,000/FY10-11 and Subsequent Years
Increase Local Expenditures – Not Significant**

Assumptions:

- Violations are punishable by a fine of \$25 for the first offense and \$50 for any subsequent offense.
- According to the Department of Safety, there will be approximately 5,000 violations per year. Twenty percent do not pay fines due to indigence. The estimated increase in revenue is \$100,000 (5,000 violations x 80% x \$25).
- Local government receives five percent, or \$5,000 (\$100,000 x .05), of fine revenue as commission.
- The remaining revenue of \$95,000 (\$100,000 - \$5,000) will be designated to the Child Safety Fund.
- The first-year impact is estimated at 50 percent of the first full-year impact due to the provision stating that Law enforcement may give a verbal warning for 180 days after July 1, 2009.
- The bill prohibits the assessment of court fees, costs or taxes against any person convicted of violating this part.
- Any increase in expenditures for state and local law enforcement to issue citations is estimated to be not significant.

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

/kml