

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2778 - SB 2832

February 9, 2010

SUMMARY OF BILL: Creates a process for a relative to petition the court for an order of protection for an adult who is unable to protect him or herself from abuse, neglect, exploitation, or misappropriation of real or personal property. A “relative” is defined as a spouse, child, stepchild, adopted child, foster child, parent, stepparent, adoptive parent, or foster parent, sibling, half-sibling, step-sibling, grandparent, aunt, uncle, niece, or nephew. Creates a Class A misdemeanor for an individual to violate the newly created order of protection.

ESTIMATED FISCAL IMPACT:

Increase State Revenue - Not Significant

Increase State Expenditures – Not Significant

Increase Local Revenue – Not Significant

Increase Local Expenditures – Not Significant

Assumptions:

- The Department of Human Services (DHS) has to be notified of the filing of a petition for an order of protection for an adult relative and DHS may intervene in the proceeding. Currently, the Department can file a petition if it determines that an adult is in need of protective services. Any cost can be accommodated within existing resources without an increased appropriation or reduced reversion.
- Granting a relative authority to file a petition with the court for an order of protection for an adult who is unable to protect him or herself will not result in a significant number of adults entering into protective services. Any cost can be accommodated within existing resources without an increased appropriation or reduced reversion.
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.

- There will not be a sufficient number of prosecutions for local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

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

/kml