

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 3281 - SB 3346

February 22, 2010

SUMMARY OF BILL: Prohibits a defendant with one or more prior convictions of driving under the influence (DUI), vehicular assault, or vehicular homicide due to intoxication from being released on bail until the court determines if such defendant is a danger to the community. If a defendant has been released on bail for a violation of DUI, vehicular assault, or vehicular homicide due to intoxication and commits any of those offenses after release, the defendant would be considered a danger to the community. Authorizes the court to consider the use of monitoring devices to eliminate danger to the community including, but not limited to, ignition interlock devices, transdermal monitoring devices, electronic monitoring with random alcohol or drug testing, or pretrial residency in an in-patient alcohol or drug rehabilitation center.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Not Significant

Increase Local Expenditures – Not Significant

Assumptions:

- Authorizing a court to order ignition interlock and other conditions for bail when a defendant is charged with certain alcohol offenses with similar prior convictions will not result in a significant fiscal impact to state or local government. Courts already determine whether a person is a good candidate for bail.
- The proposed bill does not specify who would pay the cost of such conditions of bail. It is assumed the defendants would be responsible for any additional costs relating to bail.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White".

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James W. White, Executive Director

/lsc