

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1820 – SB 1502

April 27, 2011

**SUMMARY OF AMENDMENT (007172):** Deletes the original bill. Increases by \$2.00, various fees assessed in circuit, chancery, criminal, juvenile or general sessions court. Increases, from \$2.00 to \$4.00, the fee assessed by the Knox County Clerk which is earmarked for computer hardware purchases or other computer-related expenses. Requires counties to earmark \$4.00 from each assessed fee for computer hardware purchases or other computer related expenses. The fee increases will not apply to actions filed in Knox County by any state agency.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$80,900

Increase Federal Expenditures – \$157,100

Increase Local Revenue – Exceeds \$419,800

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Increase Local Revenue – Exceeds \$180,000**

Assumptions applied to amendment:

- Based on information provided by the State Court Clerk's Association, there are more than 100,000 new cases, including Knox County, each year in circuit, chancery and probate court for which fees are collected.
- The Administrative Office of the Courts compiles statistics on criminal filings by the number of counts, not the number of cases. Each case may have multiple counts. The earmarked fee is assessed per case rather than per count. Revenue would not be generated until fees are paid. There are no statistics maintained on the number of criminal cases or on the number of criminal cases on which fees are paid.

HB 1820 – SB 1502

- Based on information provided by the State Court Clerk's Association, estimate assumes 90 percent of fees are collected for civil cases. The collection rate for criminal cases is unknown but is estimated to be not significant.
- Requires court clerks to earmark \$4.00 of the assessed fees for computer expenses rather than the current \$2.00 fee which will result in an increase to local revenue estimated to exceed \$180,000 (100,000 x \$2 x 90%). All revenue will be dedicated to computer-related expenses.
- Pursuant to Tenn. Code Ann. § 8-21-401(l), the proposed increase to court fees will not affect state filings, resulting in no significant impact to state expenditures.
- Exempting state agencies from any increase to fees for actions filed in Knox County will not affect significantly affect state or local governments.

**CERTIFICATION:**

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



James W. White, Executive Director

/agl