

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 3308 - HB 3728

March 11, 2012

SUMMARY OF BILL: Authorizes a jury to consider the defendant's personal income and ability to pay when determining the amount of fine to impose when the fine is fixed by the jury.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Exceeds \$47,500

Assumptions:

- Estimate assumes that a judge will utilize a salaried court reporter during a regular docket and the Administrative Office of the Courts will not be required to pay a per-diem court reporter.
- Additional pages of trial transcript will be required for hearings. It is assumed that each hearing will require an average of 50 pages of transcript at three dollars per page, a cost of \$150 per hearing for transcripts. In addition, in counties that do not have a salaried court reporter, the reporter is paid by the state on a per diem basis (\$200 per day and \$100 per half-day). It is assumed that these hearings will require an average of one-half day. In those counties in which court reporters are paid by the state on a per diem basis, the total additional cost of each hearing will be \$250 (\$100 half-day per diem + \$150 transcript costs).
- Additional hearings will occur in at least 100 cases per year statewide in which a court reporter will be paid a per diem and a transcript cost will be incurred. These costs, which are paid by the state, will exceed \$25,000 (\$250 x 100) per year. Additional hearings will occur in at least 150 cases per year statewide in which the court reporter is on salary, but transcript costs will be incurred. These costs, which are paid by the state, will exceed \$22,500 (\$150 x 150) per year. The total recurring increase in state expenditures is estimated to exceed \$47,500 (\$25,000 + \$22,500).

CERTIFICATION:

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

A handwritten signature in black ink, appearing to read "L. D. G.". The signature is written in a cursive style.

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Lucian D. Geise, Executive Director

/kml