

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2084 – HB 2188

March 11, 2014

SUMMARY OF ORIGINAL BILL: Repeals the statute of limitations for rape and aggravated rape.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENTS (013648, 014138): Amendment 013648 deletes all language after the enacting clause.

Repeals the statute of limitations for rape, aggravated rape, rape of a child, and aggravated rape of a child if the victim notifies law enforcement or the district attorney of the offense within three years of the offense and the offense is committed after July 1, 2014 or prior to July 1, 2014 for which the applicable statute of limitations did not expire before July 1, 2014. Otherwise, the usual applicable statute of limitations applies to offenses of rape, aggravated rape, rape of a child, and aggravated rape of a child.

Adds a severability clause.

Clarifies that the proposed legislation, while applying to some offenses committed prior to July 1, 2014, does not apply to offenses committed prior to July 1, 2014 for which the applicable statute of limitations has already expired.

Amendment 014138 makes a technical correction to Amendment 013648 adding a citation to subdivision (h)(1).

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Under current law, the statute of limitations for rape, aggravated rape, rape of a child, and aggravated rape of a child is 15 years, unless the victim is a child, when it is 25 years from the date the child reaches 18 years of age.

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- According to the Department of Correction, the proposed legislation will not significantly impact the State.
- It is assumed that any impact on the caseloads of the District Attorneys General Conference, the District Public Defenders Conference, or the courts can be accommodated within existing resources.

CERTIFICATION:

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

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" and last name "Geise" clearly distinguishable.

Lucian D. Geise, Executive Director

/trm