

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1982 – SB 2177

March 18, 2014

SUMMARY OF ORIGINAL BILL: Authorizes a homeowner's association, neighborhood association, neighborhood watch, or any organized group of citizens that reside within a residential area to seek an order of protection to prohibit an offender convicted of three or more separate offenses of theft, burglary, rape, or criminal homicide from entering the boundaries of the residential area. The order of protection will remain in effect until the issuing court modifies or dissolves it.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – Due to multiple unknown variables, a precise fiscal impact to local government is indeterminable.

SUMMARY OF AMENDMENT (014392): Deletes all language after the enacting clause. Authorizes a homeowners' association (HOA), neighborhood watch, neighborhood association, or organized group of citizens that reside within a residential area to seek an injunction or restraining order prohibiting an offender from entering the boundaries of the residential area if the offender has been convicted of three or more separate offenses of theft, burglary, rape, or criminal homicide and three or more of the offenses were committed within the boundaries of the residential area. Requires the injunction or restraining order to remain in effect for one year unless modified or dissolved by the court that granted the injunction or restraining order, and authorizes the renewal of such order upon motion by the petitioner.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- According to the Secretary of State, there are currently 3,365 active homeowner's associations.
- According to the Administrative Office of the Court, the provisions of the bill as amended will not result in any significant fiscal impact to the state court system.
- According to Court Clerks, the provisions of the bill will not result in any significant fiscal impact to the office of court clerks.

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- Due to multiple unknown variables, such as how many organizations will file injunctions or restraining orders, how many injunctions or restraining orders will be granted, the extent of respondents of such orders will adhere to the provisions of the order, and the extent of any involvement of local law enforcement due to noncompliance with the injunction or restraining order, a precise fiscal impact to local government is indeterminable.

CERTIFICATION:

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



Lucian D. Geise, Executive Director

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