

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1257 - SB 1312

March 18, 2014

**SUMMARY OF ORIGINAL BILL:** Requires court clerks to forward a copy of a judgment and date of birth of any person who is convicted of a methamphetamine-related offense to the Tennessee Bureau of Investigation (TBI) within 10 days of the clerk receiving the judgment and up to 45 days following the date of the judgment.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

**SUMMARY OF AMENDMENTS (013406, 014258):** Deletes all language after the enacting clause. Requires court clerks to forward a copy of a judgment and date of birth of any person who is convicted of a felony offense under Tenn. Code Ann. Title 39, Chapter 17, Part 4, to the Tennessee Bureau of Investigation (TBI) for registration into the drug offender registry. Renames the methamphetamine registry as the "drug offender registry." Increases the amount of time, from seven to ten years, in which an individual convicted of a felony drug offense is required to be listed in the registry, following the date of the most recent conviction. Removes current restrictions on the purchase of a product in a liquid or gel-capsule form which contains an immediate methamphetamine precursor. Prohibits a person who is under the age of 18 from purchasing a product that contains an immediate methamphetamine precursor unless the person has a valid prescription for the product or the product is in a liquid or gel-capsule form.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Based on the Fiscal Review Committee's 2008 study of incarceration costs and fines, collection of fines for felony offenses is negligible. There will not be a significant increase in revenue as a result of the new offense punishable by fine only.
- The TBI already keeps a registry for the following felonies under Tenn. Code Ann. Title 39, Chapter 17, Part 4: §§ 39-17-417, -418, -431, -433, and -435. The proposed

**HB 1257 - SB 1312**

legislation would delete such requirement for §§ 39-17-417, -433, and -435 and would add seven new felonies under Tenn. Code Ann. §§ 39-17-422, -423, -425, -432, -438, -453, and -454.

- The Department of Correction only shows admissions for Tenn. Code Ann. §§ 39-17-423 and -425 in the last 10 years. Those admissions account for approximately 40 admissions per year. It is assumed that the TBI can handle the slight increase in registrations within existing resources.
- It is assumed that the proposed legislation will not result in a significant number of new misdemeanors. It is assumed that the courts, district attorneys, and public defenders can accommodate any impact to their caseloads within their existing resources.
- Currently, a person who is over the age of 15 years, with the presentment of identification, may purchase a drug with an immediate methamphetamine precursor. This will have no significant impact on state government.

**CERTIFICATION:**

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



Lucian D. Geise, Executive Director

/jdb