

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 356

February 12, 2013

SUMMARY OF BILL: Adds a \$10.00 filing fee on all divorce cases filed in Tennessee regardless of whether or not minor children are involved. The fee is to be transmitted to the Department of Revenue and deposited in the fund established for the purpose of family violence shelters and shelter services created pursuant to Tenn. Code Ann. § 71-6-201.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – \$296,500/Family Violence Shelters and Shelter Services Fund

**Increase Local Revenue – \$14,500/Court Clerks Fee Commission
\$2,400/Shelby County Court Clerk Fee Commission**

Increase Local Expenditures – Not Significant

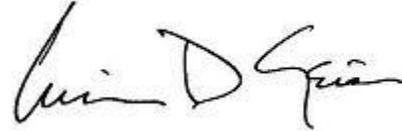
Assumptions:

- According to statistics from the Administrative Office of the Courts (<http://www.tncourts.gov/media/statistical-reports>), there has been an average of 31,334 divorce cases filed each year for the past five years.
- Under Tenn. Code Ann. § 8-21-401, court clerks receive a five percent commission for collecting filing fees, except for counties with a population over 700,000, which receive a 10 percent commission. According to the 2010 census, only Shelby County has a population over 700,000 (<http://cber.bus.utk.edu/census/c2010/County2010.htm>).
- According to statistics from the Department of Health (<http://health.state.tn.us/statistics/marriage.htm>), there has been an average of 2,391 divorces in Shelby County over the last five years. The bill will result in increased revenue for the Shelby County Court Clerks in the amount of \$2,391 (2,391 divorces x \$10 fee x 0.10 commission).
- The bill will increase revenue to the court clerks of all other counties in the amount of \$14,472 [(31,334 divorces filed each year – 2,391 divorces in Shelby County) x \$10 x 0.05 commission].
- According to the County Court Clerks, there will be a one-time cost for computer programming. It is assumed this expenditure can be absorbed within existing resources.

- The bill will increase state fee revenue by \$296,477 [(31,334 divorces x \$10) – \$2,391 Shelby County commission fee – \$14,472 commission fee for other county court clerks].

CERTIFICATION:

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



Lucian D. Geise, Executive Director

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