

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1401 - SB 1673

February 23, 2014

SUMMARY OF BILL: Authorizes the district attorney general (DA) or criminal court clerk to retain 50 percent of default fines, costs, and litigation taxes collected to procure an outside agent to collect the funds or to offset the costs of collection by the DA or court clerk through an in-house procedure. Specifies that fines and costs in default that are collected by the DA or court clerk are retained by the clerk and not "other fees of the office," which are subject to being turned over to the county trustee.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Attorney General Opinion 96-050 opined that "other fees of the office" as codified in Tenn. Code Ann. § 20-12-144 could be retained by the criminal court clerk, but must be accounted for and paid over to the county trustee.
- The proposed legislation deletes "treated as other fees of the office" from Tenn. Code Ann. § 20-12-144. These retained funds, under the proposed legislation, will remain with the office of the court clerk and not paid over to the county trustee.
- Though the proposed legislation alters where these monies will be retained, the proposed legislation will not affect the amount of revenue collected.
- The proposed legislation will not significantly impact local revenues or expenditures.
- According to the District Attorneys General Conference, the proposed legislation will not significantly impact the conference.

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".

Lucian D. Geise, Executive Director

/trm

HB 1401 - SB 1673