

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2298 - SB 2524**

February 24, 2014

**SUMMARY OF BILL:** Removes the prohibition against the granting of an injunction against a humane society or its officers or agents except after due notice and hearing. Requires all fines, penalties, and forfeitures imposed and collected in any county under provisions relating to animals to be distributed first to the municipality or county in which the incident occurred for use by the animal shelter or animal control unit in such municipality or county and second to the general fund of the municipality or county to be used for law enforcement purposes if the municipality or county does not operate an animal shelter or animal control unit.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Revenue – Exceeds \$10,000**

**Other Fiscal Impact - Any fiscal impact to local government due to any decrease in services currently provided by a humane society cannot be determined.**

Assumptions:

- The provisions of the bill are not estimated to fiscally impact state government.
- Authorizing injunctions to be granted against humane societies without due notice and hearing is not estimated to result in any significant fiscal impact to local government.
- Humane societies are private agencies operating within the state, although some may work in conjunction with local governments.
- According to the Secretary of State, there are 52 humane societies operating throughout the state.
- Pursuant to Tenn. Code Ann. § 39-14-210, all fines, penalties, and forfeitures imposed or collected in any county, relating to or in any way affecting animals, shall inure to the society in aid of the purpose for which it was incorporated.
- The provisions of the bill would reallocate all such monies to the municipality or county for use by the local government animal shelter or animal control unit, or to the general fund of the municipality or county if no such entity exists.
- Due to unknown factors, such as the extent of any fines, penalties, or forfeitures are currently imposed and allocated to humane societies, and the extent of any fines, penalties, or forfeitures that will be collected by local governments after the enactment of this bill, a precise recurring increase in local government revenue cannot be determined; however it is reasonably estimated to exceed \$10,000.

- To the extent any humane society works in conjunction with or provides services to a local government, a local government may become responsible for providing additional services if the humane society becomes unable to continue to provide services due to a decrease in revenue from fines, penalties, and forfeitures collected; however any fiscal impact to local government cannot reasonably be determined.

**CERTIFICATION:**

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



Lucian D. Geise, Executive Director

/jrh