

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1432 - HB 1379

February 6, 2014

SUMMARY OF BILL: Requires the General Assembly to appoint the number of delegates allocated to represent Tennessee as well as an equal number of alternate delegates whenever an Article V Constitutional Convention is called. If the General Assembly is not in session during the time which delegates must be appointed, the Governor shall call the General Assembly into special session. At the time delegates and alternate delegates are elected, the General Assembly is required to adopt a joint resolution to provide instructions to the delegates and alternate delegates regarding the rules of procedure and any other matter relating to the Article V Convention that the General Assembly considers necessary. Subjects a delegate or alternate delegate to recall, voids such delegates vote, and creates a Class E felony offense for a delegate or alternate delegate to knowingly or intentionally vote or attempt to vote outside the scope of the instructions established by a joint resolution or the limits placed by the General Assembly in such resolution. Specifies the requirements that an individual must satisfy to be appointed as a delegate or alternate delegate to an Article V Convention.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$6,300/Incarceration*

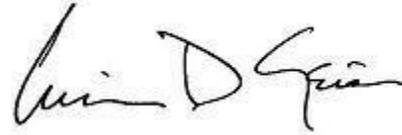
Assumptions:

- According to the Department of Correction (DOC), there has been one admission each year for the past 10 years for the Class E felony of official misconduct. DOC assumes one additional Class E felony every five years as a result of the proposed bill.
- According to DOC, the average operating cost per offender per day for calendar year 2014 is \$66.29.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.12 percent per year for the past 10 years, yielding a projected compound population growth of 11.78 percent over the next 10 years. Population growth will not affect the fiscal impact of this legislation.
- The average time served for a Class E felony is 1.31 years (478.48 days). The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on one offender every five years for an annualized cost of \$6343.69 [(\$66.29 x 478.48 days) / 5].

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

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". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/lsc