

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1849 - HB 1907

February 9, 2014

SUMMARY OF BILL: Directs state agencies, political subdivisions of the State, employees of the State or political subdivisions acting in an official capacity, and corporations providing services on behalf of the State to follow new state policy. Creates new state policy against providing assistance of any kind to a federal agency in the collection of electronic data or metadata of any person that is not pursuant to a warrant that particularly describes the person, place and thing to be searched.

ESTIMATED FISCAL IMPACT:

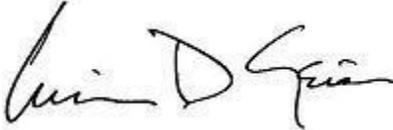
Other Fiscal Impact – Local law enforcement entities could be subject to sanctions or penalties if complying with the proposed legislation would take them out of compliance with a federal law or regulation. However, there is not sufficient data to reasonably estimate the amount of sanctions or penalties to which local governments could be subject.

Assumptions:

- According to the Administrative Office of the Courts, the proposed legislation would not significantly impact state courts.
- According to the Tennessee Bureau of Investigation and the Department of Safety and Homeland Security, the proposed legislation would not significantly impact the State.
- According to the County Technical Assistance Service (CTAS), local law enforcement entities could be subject to sanctions or penalties if complying with the proposed legislation would take them out of compliance with a federal law or regulation. However, there is not sufficient data to reasonably estimate the amount of sanctions or penalties to which local governments would be subject.
- According to the Department of Human Services, the proposed legislation could affect federal funding received by the department. While the department does not collect any electronic data that is not pursuant to a warrant, they are required by federal regulation to assist the federal government in investigations into the department's operations, especially investigations of fraud. If the department does not assist the federal government, then the department might lose federal funding.

CERTIFICATION:

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



Lucian D. Geise, Executive Director

/trm