

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2364 - HB 2093

February 10, 2014

SUMMARY OF BILL: Requires notice and an opportunity to be heard be provided to the community affected by a nuisance prior to the consent of voluntary dismissal of the proceeding by the Attorney General, district attorney general, or a city or county attorney. Defines “community” to be any person who resides or owns a business within 1,000 feet of the nuisance or any interested party who notifies the relator of their interest. Notice may be provided through mailing or posting.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Exceeds \$5,000

Increase Local Expenditures – Exceeds \$5,000*

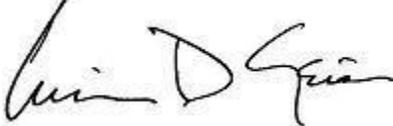
Assumptions:

- According to the Administrative Office of the Courts and the Office of the Attorney General, any cost associated with the provisions of this bill can be absorbed within existing resources without an increased appropriation or reduced reversion.
- According to information provided by the District Attorneys General Conference, the processing of notifications to all parties involved in a nuisance will create an additional burden on District Attorneys (DAs).
- The number of nuisance cases processed each year by DAs and the number of impacted persons or businesses in each nuisance case is unknown, however the required notification is reasonably estimated to result in an increase in state government expenditures exceeding \$5,000.
- According to County Technical Assistance Service, there will be an increase in local government expenditures for sending notification to impacted parties.
- Due to unknown factors such as the exact number of nuisance cases processed each year by city or county attorneys, or the number of impacted persons or businesses in each nuisance case is unknown; however the required notification is reasonably estimated to result in a mandatory increase in local government expenditures exceeding \$5,000.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

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



Lucian D. Geise, Executive Director

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