

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 754 – SB 1160

March 23, 2015

**SUMMARY OF ORIGINAL BILL:** Removes aggravated prostitution from the crimes for which an offender must register as a sex offender. Requires the court to order a person convicted of aggravated prostitution to complete a 10-year period of probation.

FISCAL IMPACT OF ORIGINAL BILL:

Decrease State Revenue – \$900/TBI

Increase State Expenditures – Not Significant

Decrease Local Revenue – \$1,800

**SUMMARY OF AMENDMENT (004107):** Deletes all language after the enacting clause and rewrites the bill to clarify that current registrants on the sex offender registry for aggravated prostitution no longer have to comply with the requirements of the sex offender registry.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Under current law, all registrants on the sex offender registry must pay a \$150 annual fee. The proposed legislation would have those convicted of aggravated prostitution enter a probation program rather than register on the sex offender registry. This will result in a loss of revenue as those individuals will no longer have to pay the annual fee.
- According to statistics from the Department of Correction (DOC), there has been an average of 8.8 admissions for aggravated prostitution each year for the past 10 years. That is 88 admissions for every 10-year period. This is approximately the current number of 86 registrants on the sex offender registry for aggravated prostitution. It is assumed there constantly remains an average of 88 registrants for aggravated prostitution each year.
- It is assumed the proposed legislation would result in 88 registrants per year being on probation rather than on the sex offender registry.
- One hundred dollars of the annual fee goes to the agency with which the offender registered. It is assumed that each of the 88 registrants will register with his/her local

HB 754 – SB 1160

law enforcement agency. Fifty dollars of the \$150 fee goes to the TBI.

- According to the TBI, the collection rate for aggravated prostitution registrants was 14 percent (12/86) in 2014. It is assumed the annual collection rate for aggravated prostitution registrants is 20 percent.
- The proposed legislation would result in a decrease of state revenue totaling \$880 ( $\$50 \times 88 \times .20 = \$880$ ).
- The proposed legislation would result in a decrease of local revenue totaling \$1,760 ( $\$100 \times 88 \times .20$ ).
- The proposed legislation will result in approximately 8.8 additional probationers annually. According to the DOC, taking on the additional probationers each year can be handled within the DOC's existing resources.

**CERTIFICATION:**

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



Jeffrey L. Spalding, Executive Director

/trm