

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2120 – HB 2406

February 19, 2016

SUMMARY OF ORIGINAL BILL: Authorizes special juvenile court clerks and general sessions court clerks who have juvenile court jurisdiction to collect a \$75 fee from any person who enters a plea of guilty; enters a plea of nolo contendere; is adjudicated at trial or whose case is handled under pretrial diversion or retirement; or who is found in violation of the terms or conditions of a probationary or valid court order. This fee shall be in addition to all other taxes, costs, or fines. The revenue from the collection of the additional fee shall be designated for creation or maintenance of new facilities for juvenile courts within the respective county of the court.

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Revenue – Exceeds \$3,000/Juvenile Courts/Permissive

SUMMARY OF AMENDMENT (012537): Deletes and rewrites Section 1, subsection (a) of the bill, such that the only substantive change to the legislation is to require counties to have at least four circuit court judges and one juvenile court judge in order for court clerks to be authorized to collect a \$75 fee from eligible juvenile offenders.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

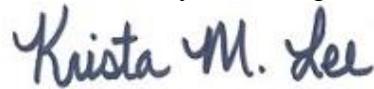
- Any fiscal impact to local government will occur as a result of a permissive action.
- Based on information reviewed from the Tennessee State Courts' website, the provisions of the bill, as amended, will authorize clerks in 6 counties (Davidson, Hamilton, Knox, Rutherford, Shelby, and Williamson) to collect a \$75 fee from eligible juvenile offenders.

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- The extent of any eligible county permissive revenue is based upon multiple unknown factors including: (1) the number of juvenile offenders meeting the fee criteria, (2) the number of court clerks that will elect to collect a \$75 fee from offenders meeting the criteria, and (3) the number of juvenile offenders that will remit the \$75 fee.
- Given the extent of unknown factors, determining a precise estimate is difficult. However, it is reasonable to assume that some court clerks will be able to collect the fee.
- The permissive and recurring increase in local government revenue is conservatively estimated to exceed \$3,000 per year.

CERTIFICATION:

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



Krista M. Lee, Executive Director

/amj