

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1603 – HB 2074

March 14, 2016

**SUMMARY OF ORIGINAL BILL:** Enacts the *Agriculture Producers Restitution Act*. Requires the Department of Agriculture (DOA) to issue transport permits, to individuals seeking to transport live wild-appearing swine, directly to slaughter, slaughter facilities, or other facilities as directed and licensed by the DOA unless otherwise directed by the state veterinarian. Requires wild-appearing swine transport permits to be valid for five years and authorizes the DOA to impose a fee not to exceed \$15.00 for each transport permit. Creates a Class A misdemeanor for transporting wild-appearing swine without a permit. Requires monies collected be deposited into the Tennessee Agricultural Regulatory Fund (TARF). Defines “wild-appearing swine” and methods for capture and dispatch of such animals. Authorizes a landowner to advertise, possess, sell, offer for sale, or give away such swine if caught on landowner’s property.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue –  
\$400/FY16-17/Tennessee Agriculture Regulatory Fund  
\$300/FY17-18/Tennessee Agriculture Regulatory Fund  
\$100/FY18-19 and Subsequent Years/  
Tennessee Agriculture Regulatory Fund

**SUMMARY OF AMENDMENT (013191):** Adds and replaces language of the original bill such that the only substantive changes are to: (1) authorize the Department of Agriculture to promulgate rules concerning the transportation, capture, and dispatch of wild-appearing swine; and (2) clarify that TWRA shall not regulate wild-appearing swine in this state and that nothing shall prohibit TWRA from assisting DOA or landowners in eradicating wild-appearing swine.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

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Assumptions for the bill as amended:

- The wild-appearing swine permit fee will be \$15.
- Based on the information provided by DOA, it is assumed that 25 permits will be issued in FY16-17, 20 permits will be issued in FY17-18, and 5 permits will be issued in FY18-19 and subsequent years.
- The increase in state revenue to the TARF is estimated to be \$375 (\$15 permit fee x 25 permits) in FY16-17, \$300 (\$15 permit fee x 20 permits) in FY17-18, and \$75 (\$15 permit fee x 5 permits) in FY18-19 and subsequent years.
- There will not be a sufficient number of prosecutions for state and local government to experience any significant increase in revenues or expenditures. It is currently a Class A misdemeanor offense for any person to knowingly transport or release into the wild live wild appearing swine, without documentation approved by DOA.
- Any cost incurred by the DOA due to the possible increased oversight and regulatory functions will not be significant and can be accommodated within existing resources without an increased appropriation or reduced reversion.
- Any decrease in expenditures for TWRA will be not significant.

**CERTIFICATION:**

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

Handwritten signature of Krista M. Lee in blue ink, with the initials "RNC" written in red at the end.

Krista M. Lee, Executive Director

/tdb