

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SJR 467

March 22, 2016

SUMMARY OF ORIGINAL BILL: Directs the Attorney General and Reporter (Attorney General) to initiate or intervene in one or more civil actions on behalf of the State of Tennessee, or seek appropriate relief in a federal court regarding the failure of the federal government to comply with the Refugee Act of 1980 and any actions taken by the federal government or the President in violation of federal law as prohibited by the Tenth Amendment to the United States Constitution, or any other statutory or constitutional provisions of the United States or Tennessee with respect to the operation or implementation of the Refugee Resettlement Program.

Authorizes the Attorney General in conjunction with the Speaker of the Senate and the Speaker of the House of Representatives to employ the services of outside counsel. Requires the Attorney General to file written notice with the chief clerks of the Senate and the House of Representatives, if the Attorney General chooses not to initiate or intervene in a civil action, at which point the Speakers are authorized to employ outside counsel to commence civil action.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – To the extent the state obtains services from outside counsel for any type of action identified by the bill, the one-time increase in state expenditures is reasonably estimated to exceed \$10,000.

SUMMARY OF AMENDMENT (014848): Deletes language in the original bill that authorized the Attorney General in conjunction with the Speaker of the Senate and the Speaker of the House of Representatives to employ the services of outside counsel and replaces it with an authorization to “retain” outside counsel. Urges the Attorney General and Speakers to minimize any cost to the state and prohibits the use of state funds to pay any litigation costs including attorney fees.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

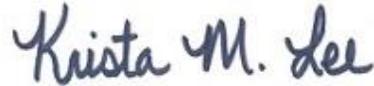
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Assumptions for the bill as amended:

- According to the Attorney General, the precise impact to the state to commence such action is dependent upon multiple unknown variables and cannot be reasonably determined.
- In the event the Attorney General in conjunction with the Speakers of the Senate and House of Representatives elects to employ the services of outside counsel, or in the event the Attorney General declines to commence any such action and the Speakers of the Senate and House of Representatives elects to retain the services of outside counsel, the use of state funds will be prohibited.
- Any increase in state expenditures to commence such action will be not significant.

CERTIFICATION:

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

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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