

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2149 – HB 2530

April 7, 2016

SUMMARY OF ORIGINAL BILL: Authorizes any county or city, by resolution or ordinance, to establish a program that allows any person who is indigent and who has been convicted of driving while the person's license is cancelled, suspended, or revoked in violation of § 55-50-504(a), to complete community service work in lieu of paying the fines and other costs imposed for the conviction.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (015117): Deletes all language of the original bill. Authorizes any county or city legislative body, by resolution or ordinance, to establish a program that allows any person who is indigent and who has been convicted of driving while the person's license is cancelled, suspended, or revoked in violation of § 55-50-504(a), to complete community service work in lieu of paying the fines and other costs imposed for the conviction. Specifies the community service program shall be administered and monitored by the appropriate entity that administers court-ordered community service within the applicable jurisdiction.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- To the extent any local government entity elects not to establish a community service program for the stated purpose, the fiscal impact is considered not significant.
- If any such program is implemented, any resulting impact would be considered a permissive impact because implementation of a community service program would occur as the result of a permissive action; namely the passage of a resolution or ordinance.
- To the extent a local entity elects to implement a community service program, there would be a permissive increase in local expenditures to create and administer the program. In this case, it is reasonable to presume that any such local government entity would do so only if they could reduce labor costs elsewhere within the local jurisdiction.

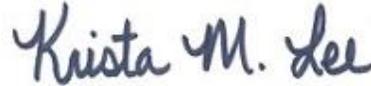
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In other words, it is assumed that no local government entity would elect to implement a community service program unless the benefit (expenditure reductions) justified the cost of implementation and administration. As a result, any net fiscal impact to local government is estimated to be not significant.

- Based on information provided by the Department of Safety, the bill does not impact reinstatement fees based upon the suspension of a driver's license and the bill does not prohibit or prevent the suspension of the license for a conviction of driving on a suspended or revoked license.
- Authorizing referral of indigent defendants to community service will not affect the number of people identified as indigent or reduce the amount of litigation tax or court costs collected. Therefore, no reduction in revenue to the state or the local court system.

CERTIFICATION:

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



Krista M. Lee, Executive Director

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