

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 42 - SB 1315**

February 13, 2015

**SUMMARY OF BILL:** Prohibits anyone convicted of or who pleads guilty to vehicular assault or vehicular homicide from being eligible for probation until he/she serves a mandatory minimum sentence of 48 hours if it is a first offense. Requires a 45-day minimum sentence if the offender has a prior conviction for an alcohol-related offense, a 120-day minimum sentence if the offender has two or more convictions for alcohol-related offenses, and a 150-day minimum sentence if the offender has three or more convictions for alcohol-related offenses.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

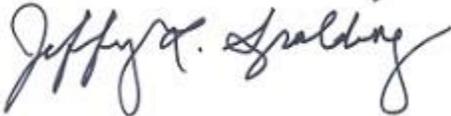
Assumptions:

- Based on statistics from the Department of Correction (DOC), there has been an average of 35.6 admissions for vehicular homicide by intoxication, a Class B felony, each year for the past 10 years; and an average of 17.6 admissions per year for vehicular homicide by risk of death or serious bodily injury, a Class C felony, each year for the past 10 years.
- The average time served for a Class B felony is 5.69 years; the average time served for a Class C felony is 3.18 years.
- According to statistics from the DOC, there has been an average of 35.4 admissions for vehicular assault each year for the past 10 years.
- The average time served for a Class D felony is 2.04 years.
- The 48-hour mandatory minimum sentence will not have an impact on incarceration costs for vehicular assaults or vehicular homicides.
- The 45-day mandatory minimum sentence will not have an impact on incarceration costs for vehicular assaults or vehicular homicides.
- The 120-day mandatory minimum sentence will not have an impact on incarceration costs for vehicular assaults or vehicular homicides.
- The 150-day mandatory minimum sentence will not have an impact on incarceration costs for vehicular assaults or vehicular homicides.
- It is assumed that the Administrative Office of the Courts, the District Attorneys General Conference, and the District Public Defenders Conference can handle any impact within their existing resources.

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**CERTIFICATION:**

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



Jeffrey L. Spalding, Executive Director

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