

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 962 - SB 1024

March 15, 2015

**SUMMARY OF BILL:** Creates a new Class A misdemeanor for knowingly causing a minor to attend an animal fight. Any punishment must include a fine between \$1,000 and \$2,500.

Creates a Class E felony for second or subsequent convictions for animal fighting that involves a cock.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – \$17,000 Highest Projected Cost of the Next 10 Years/Incarceration\***

Assumptions:

- According to statistics from the Administrative Office of the Courts, there has been an average of 2.8 convictions per year for animal fighting over the past five years. The AOC's statistics represent convictions in state trial courts. It is assumed that the number of convictions in state trial courts represent 10 percent of the convictions in general sessions courts. It is assumed that there are 28 total convictions (2.8 convictions x 10) each year for animal fighting. It is assumed that 10 percent (3 offenses) are second or subsequent offenses and that 10 percent of the second or subsequent offenses involve a cock. The bill would result in one admission for cock fighting every 2 years.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.12 percent per year for the past 10 years, yielding a projected compound population growth of 11.78 percent over the next 10 years. Population growth will not affect the fiscal impact of this bill.
- According to DOC, the average operating cost per offender per day for calendar year 2015 is \$66.03.
- The average time served for a Class E felony is 1.41 years.
- The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on one offender every two years serving 1.41 years (515 days) for an annualized total of \$17,003 [(\$66.03 x 515 days) / 2].
- The bill creates one felony case every two years. The AOC, the District Attorneys General Conference, and the District Public Defenders Conferences accommodate the increase to their caseloads within their existing resources.

- Based on the Fiscal Review Committee's 2008 study of incarceration costs and fines, collection of fines for criminal offenses is negligible. There will not be a significant increase in revenue as a result of the mandatory minimum fines for these offenses.

*\*Tennessee Code Annotated § 9-4-210 requires an appropriation from recurring revenues for the estimated operation cost of any law enacted after July 1, 1986 that results in a net increase in periods of imprisonment in state facilities. The amount appropriated shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

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



Jeffrey L. Spalding, Executive Director

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