

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 990 - SB 995

March 17, 2015

SUMMARY OF BILL: Authorizes the Commissioner of the Department of Commerce and Insurance (TDCI) to issue not only a certified affidavit, but also other similar certifications, that the motorist that caused an accident has not filed the appropriate forms within 90 days of an accident, thus creating a rebuttable presumption that the motorist was uninsured at the time of the accident. Requires a defendant to submit any evidence supporting a rebuttal to the presumption that the defendant is responsible for an injury sustained by the plaintiff. Any such evidence must be provided to the other parties at least 45 days prior to the trial date.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- TDCI currently issues certified affidavits which indicate whether a motorist has filed the appropriate forms with TDCI. This would allow TDCI to issue other similar forms of certification.
- Based on information provided by TDCI, this will have little impact on the Department and any enforcement responsibilities can be accommodated within existing resources.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- Any fiscal impact resulting from the bill will be borne by private parties. While this could affect court cases involving businesses, the direct fiscal impact incurred by each individual business is estimated to be not significant.

CERTIFICATION:

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

A handwritten signature in black ink, reading "Jeffrey A. Spalding".

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Jeffrey L. Spalding, Executive Director

/jdb