

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2089 - SB 2277

February 6, 2016

SUMMARY OF BILL: Creates a domestic violence registry within the Tennessee Bureau of Investigation (TBI). Those required to register are anyone convicted of: (1) domestic assault; (2) a violation of an order of protection or restraining order resulting from domestic assault; (3) aggravated assault, first degree murder, second degree murder, voluntary manslaughter, aggravated rape, rape, aggravated sexual battery, or sexual battery if committed against a domestic abuse victim; or (4) any conspiracy to, attempt to, or solicitation to commit any of the above offenses.

Requires court clerks to provide the necessary information to the TBI to maintain the registry.

Requires the TBI to remove someone from the registry if (1) ten years have elapsed since the most recent conviction, or (2) the person's records have been expunged.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – \$629,900/One-Time
\$132,900/Recurring**

Increase Local Expenditures – Exceeds \$2,375,000/Recurring*

Assumptions:

- The most recent TBI report on the sex offender registry shows that in 2003 there were 6,139 sex offenders registered. It is assumed that there are approximately 10,000 sex offenders registered today.
- The most recent TBI report on domestic violence reported domestic violence data from 2012 to 2014. The data showed an average of 65,726 reported incidents of domestic violence per year for the above listed offenses. It is assumed that at least 50 percent (32,863 offenses) of these incidents result in a conviction. It is further assumed that there will be approximately 100,000 domestic violence offenders on the registry each year.
- The TBI will need to develop and maintain a new registry. The TBI will require approximately \$625,000 in one-time expenditures, and approximately \$100,000 in recurring expenditures for maintaining the registry.
- The TBI will also require additional staff to manage the registry. A Clerk II position receives a base salary of \$19,248.00 and will require \$2,700 in recurring expenditures

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for related costs such as supplies, phone, and internet. The Clerk II position will require \$4,900 in one-time expenditures for office furniture, computer, and other related expenses. The Clerk II position will require \$32,858.01 in recurring expenditures [$\$19,248 + (\$19,248 \times 0.1503 \text{ benefits}) + (\$19,248 \times 0.0765 \text{ FICA}) + \$6,544.56 \text{ insurance} + \$2,700 \text{ supplies}$].

- The bill will result in one-time state expenditures estimated to be \$629,900 ($\$625,000 + \$4,900$) and recurring state expenditures estimated to be \$132,858.01 ($\$100,000 + \$32,858.01$).
- Court clerks will also need additional staff to collect and report the necessary data to the TBI. It is assumed that each court clerk (95 court clerks) will hire one additional staff person to handle the workload. It is assumed that each staff person will increase recurring expenditures by at least \$25,000. The bill will result in a mandatory and recurring increase in local expenditures by an amount estimated to exceed \$2,375,000 ($\$25,000 \times 95$).

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

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



Krista M. Lee, Executive Director

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