

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 611 - HB 805

March 3, 2015

SUMMARY OF BILL: Adds licensed social workers to the professions required to submit to a subpoena to a deposition.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 16-15-708, a subpoena requires a witness, in this case, a licensed social worker, to be present at a prescribed place and time to give testimony, or deposition in a case or matter stated in the subpoena or summons.
- Subpoenas are issued by a judge or clerk of the court. Any person, who, without cause, refuses to appear, will be placed in jail without bail until willing to testify or give evidence as the law directs. It is assumed that any licensed social worker subpoenaed to provide a deposition will comply with law.
- Pursuant to Tenn. Code Ann. § 24-9-104, any court of record, or any clerk thereof, may issue commission to take depositions. It is unknown whether the presiding court will provide commissions to a social worker for a deposition made or reimburse a social worker for any necessary expenses incurred pursuant to a subpoena.
- It is assumed that any amount paid by a unit of federal, state, municipal, city, or county government to a licensed social worker for a deposition will be made in place of another witness, who would have otherwise been subpoenaed to provide a deposition; therefore, this is assumed to have no net fiscal impact on the appropriate court of competent jurisdiction.
- An individual cannot be punished by an employer for complying with the terms of a subpoena.

CERTIFICATION:

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

A handwritten signature in black ink that reads "Jeffrey L. Spalding".

Jeffrey L. Spalding, Executive Director

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/jdb