

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 746 - HB 1069

March 23, 2015

SUMMARY OF BILL: Removes exception that allows Shelby County to appoint an attorney as a special judge without first going through the same process as other counties.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – Exceeds \$10,000*

Assumptions:

- If Shelby County did not have the option of appointing a special judge from a pool of local lawyers as is the manner under current law, then the county would first have to seek an additional special judge through the Administrative Office of the Courts (AOC).
- Seeking an additional special judge through the AOC could greatly delay cases from being resolved, and in some cases leading to increased incarceration costs in local jails.
- An exact fiscal impact of costs relating to not being able to appoint a special judge from a pool of lawyers cannot be determined; however based on information submitted from Shelby County, the mandatory and recurring increase in local expenditures is reasonably estimated to exceed \$10,000.

*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.

A handwritten signature in cursive script that reads "Jeffrey L. Spalding".

Jeffrey L. Spalding, Executive Director

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