

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 75 – SB 578

March 28, 2018

**SUMMARY OF ORIGINAL BILL:** Extends the period in which public notice must be given by a local education agency (LEA) before accepting construction bids from ten days to ten business days.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (015795):** Deletes all language after the enacting clause. Authorizes the State Board of Education (SBE) to discipline licensed personnel for misconduct by reprimand, suspension, or revocation of licenses and certificates in compliance with the Uniform Administrative Procedures Act. Upon being re-instated, requires the petitioner's salary to be paid in full for the time in which their license was suspended or revoked

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Other Fiscal Impact – To the extent any teacher is awarded back pay related to a suspension or revocation imposed by State Board of Education (SBE), there will be an increase in state expenditures if the SBE is responsible for such payments; or a mandatory increase in local expenditures if the respective local education agency is responsible for payments and the legislation results in an increase in the total number of reinstatements.\* The extent and timing of any such increased expenditures cannot be reasonably determined for they are dependent upon future unknown actions of the SBE.**

Assumptions for the bill as amended:

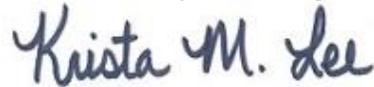
- Under Tenn. Code Annotated § 49-5-511(a)(3), a director of schools may suspend a teacher. If vindicated or reinstated, the teacher shall be paid the full salary by the LEA for the period during which the teacher was suspended.

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- Under the legislation, the SBE would have the power to suspend teachers; however, the legislation does not clearly identify the entity that would be responsible for back pay in instances of teacher suspensions. To the extent the SBE is responsible; there would be an increase in state expenditures; but if the LEA remains responsible, and there is an increase in the total number of suspensions and reinstatements, there would be a mandatory increase in local expenditures. The extent and timing for any increased expenditures cannot be quantified for they are dependent upon future unknown actions of the SBE.
- The SBE will be able to implement the reprimand requirement in accordance with the provisions of this legislation during the normal course of business; therefore, any fiscal impact is estimated to be not significant.
- No significant impact to local government operations.

**CERTIFICATION:**

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



Krista M. Lee, Executive Director

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