

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1466 - SB 2592

February 21, 2018

**SUMMARY OF BILL:** Establishes that the *Tennessee Heritage Protection Act* (the Act) does not apply to the bust of Nathan Bedford Forrest (the bust), located on the grounds of the state capitol building, and requires the State Capitol Commission (SCC) to transfer possession of the bust to the new Tennessee State Museum as soon as practicable upon the completion of the museum.

**ESTIMATED FISCAL IMPACT:**

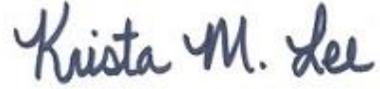
**Increase State Expenditures – \$3,500/One-Time/State Capitol Commission**

Assumptions:

- The Act (codified in Tenn. Code Ann. § 4-1-412) prohibits any memorial regarding a historic conflict, historic entity, historic event, historic figure, or historic organization that is, or is located on, public property, from being removed, renamed, relocated, altered, rededicated, or otherwise disturbed or altered, unless a public entity exercising control of the memorial petitions the Tennessee Historical Commission (THC) for a waiver of such prohibition.
- A notice of the petition is required to be published on the website of the public entity and in at least two newspapers. The THC is required to conduct initial and final hearings on the petition during regularly-scheduled THC meetings. Any petition that fails to receive a two-thirds vote shall be denied.
- Pursuant to Tenn. Code Ann. 4-8-302, the SCC has the power and duty to, among other things, establish policy governing maintenance of the state capitol. The SCC considered a motion to remove the bust from the state capitol in September 2017; however, the SCC panel voted against the measure. A prevailing vote would have, pursuant to the Act, sent the motion for consideration by the THC.
- Due to the recent SCC vote against such motion, it is estimated that establishing that the Act does not apply to the bust will not result in a significant decrease in state expenditures associated with notice and hearing requirements under the Act.
- Based on information provided by the Department of General Services regarding previous costs of statue relocations, it is estimated that the proposed relocation of the bust from the state capitol to the state museum would result in a one-time increase in state expenditures to the SCC of \$3,500. The new state museum is scheduled to open in 2018.

**CERTIFICATION:**

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

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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