

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 9 - HB 9

March 9, 2019

SUMMARY OF ORIGINAL BILL: Authorizes certain local governments to prohibit smoking on locally owned and operated playgrounds after passage of an ordinance.

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures – Exceeds \$4,800/One-Time/Permissive

IMPACT TO COMMERCE OF ORIGINAL BILL:

Increase Business Revenue – Exceeds \$4,800/One-Time

SUMMARY OF AMENDMENT (005418): Deletes and rewrites all language after the enacting clause such that the only substantive change will provide statewide applicability.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase Local Expenditures – Exceeds \$30,000/One-Time/Permissive

Assumptions for the bill as amended:

- The provisions of the legislation are permissive and apply to locally-owned and operated playgrounds statewide. It is reasonably estimated that local governments in each of the three grand divisions will enact an ordinance relative to 200 locally-owned playgrounds, or 600 locally-owned playgrounds statewide.
- Any vote required of the local legislative body will be conducted at a regularly-scheduled meeting.
- Pursuant to Tenn. Code Ann. § 39-17-1805(a), signage must be placed clearly and conspicuously at every entrance to a public location where smoking is prohibited.
- The local government owning and operating the playground will be responsible for costs associated with erecting such signage.
- Signs are estimated to cost an average of \$25 per sign.

- Ordinances will be passed prohibiting smoking on all applicable public playgrounds and a minimum of two signs will be erected indicating the prohibition.
- Any fine revenue collected by local governments as a result of violations of the prohibition is estimated to be not significant.
- The permissive one-time increase in local government expenditures is estimated to exceed \$30,000 (600 playgrounds x 2 minimum signs x \$25 per sign).

IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:

Increase Business Revenue – Exceeds \$30,000/One-Time

Assumption for the bill as amended:

- Applicable local government entities will purchase the required signage from private business; therefore, there will be an increase in business revenue estimated to exceed \$30,000. No significant impact to jobs will occur as a result of this legislation.

CERTIFICATION:

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



Krista Lee Carsner, Executive Director

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