

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 562 - HB 760

March 29, 2019

SUMMARY OF ORIGINAL BILL: Decreases, from 15 to 10 days, the maximum amount of time after service of an ex parte protection order for which a hearing must be held.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006732): Deletes all language after the enacting clause. Increases, from 200,000 to 260,000, a minimum population requirement utilized in establishing judicial jurisdiction over cases involving domestic abuse.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Tennessee Code Annotated § 36-3-601(3) establishes the following requirements for determining which court has jurisdiction over domestic abuse cases:
 - Circuit and Chancery courts within counties with a population of 200,000 to 800,000 according to the 1980 or any subsequent decennial census;
 - Circuit, Chancery, or the General Sessions courts for any other county not meeting the other specified population requirements.
- The proposed legislation will increase the minimum population requirement in Tenn. Code Ann. § 36-3-601(3)(A) to 260,000.
- In the absence of the proposed language, for counties reaching a minimum population of 200,000 in the 2020 decennial census, domestic abuse cases would no longer be heard in General Sessions courts, but would go solely to the Circuit or Chancery court within the applicable county's judicial district.
- Based on the United States Census county population estimates as of July 1, 2017, Montgomery and Williamson counties meet the current minimum population requirement of 200,000, but do not meet the proposed minimum requirement of 260,000. Neither county is located in the same judicial district.

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- The proposed legislation is not estimated to result in a significant cost avoidance for a specific court or judicial system; therefore, the fiscal impact to state and local government is estimated to be not significant.

CERTIFICATION:

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

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

Krista Lee Carsner, Executive Director

/jrh