

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 659 - HB 1168

March 29, 2019

SUMMARY OF ORIGINAL BILL: Provides that a pregnant mother can be prosecuted for assaultive offenses if the child is born addicted to or harmed by the woman's illegal use of narcotic drugs, or for criminal homicide if the child dies as a result of the woman's illegal use of narcotic drugs.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006720): Deletes all language after the enacting clause. Creates a Class E felony offense for a person to knowingly possess a child-like sex doll. Creates a Class A misdemeanor offense for a person to knowingly sell, distribute or transport a child-like sex doll into this state or within this state with the intent to sell or distribute, to be fined, in addition to any other punishment, in an amount not less than \$10,000 nor more than \$50,000.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures – \$3,400 Incarceration*

Assumptions for the bill as amended:

- The proposed legislation will result in one admission every 10 years.
- The average time served for a Class E felony is 1.28 years.
- Population growth and recidivism will not impact these admissions.
- According to the DOC, the average operating cost per offender per day for calendar year 2019 is \$73.18.
- The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on one offender admitted every 10 years serving an additional 1.28 years (467.52 days) for an annualized increase in state incarceration expenditures of \$3,421 [$(\$73.18 \times 467.52) / 10$].

- Any cost to local jail systems resulting from possible convictions under this legislation is estimated to be not significant.
- There will not be a sufficient change in the number of misdemeanor prosecutions for the state or local government to experience any significant change in revenue or expenditures.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant. The proposed legislation will not significantly increase state or local revenue.
- The courts, district attorneys, and public defenders will not experience an increase in caseloads; therefore, any impact to the court system is estimated to be not significant.

CERTIFICATION:

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



Krista Lee Carsner, Executive Director

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