

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 185 - HB 983

March 31, 2019

SUMMARY OF ORIGINAL BILL: Authorizes the Department of Education (DOE) to post its annual report on its website instead of distributing the report to certain individuals and entities listed in statute.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006749): Deletes all language after the enacting clause and rewrites the bill to authorize a local board of education member, elected or appointed, to be removed from office by the registered voters of the county. Authorizes a person to file a petition with the County Election Commission (CEC) to demand a recall of a local board of education member. Requires the number of petition signatures to equal least 66 percent of the total votes cast for the candidate that received the highest number of votes at the last regular election. Requires the petition to contain a general statement on the grounds upon which the removal is sought. Requires the CEC to determine the sufficiency of the petition signatures within 15 days and prescribes rules following a determination. Requires a board member's office to be declared vacant, if at least 66 percent of county residents vote to recall. Prohibits a recall vote from being held 90 days prior to or after a regular election.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact – To the extent a vote to recall is undertaken to remove a local board of education member from the respective board, the mandatory increase in local expenditures is reasonably estimated to exceed \$10,000.*

Assumptions for the bill as amended:

- Any local government holding a special election would incur one-time expenditures; however, the cost will vary based on the population of the local government holding the special election.
- Based on information provided by the State Division of Elections, a special election costs between \$10,207 for a small county such as Lake County and \$597,022 for Shelby County.

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- Based on information provided by the State Division of Elections, a special election costs a municipality between \$8,800 (the city of Luttrell with a population of 1,080) and \$715,000 (the city of Memphis with a population of 646,900).
- The number of local governments that will be required to hold a special election is unknown; however, if a local government holds a special election it will result in a mandatory increase in local expenditures estimated to exceed \$10,000.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

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



Krista Lee Carsner, Executive Director

/alh