

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 788 - SB 1251

April 3, 2019

**SUMMARY OF ORIGINAL BILL:** Revises various obsolete provisions under Tenn. Code Ann. Title 49 relating to education. Transfers certain responsibilities from the Department of Education (DOE) and the State Board of Education to local education agencies (LEAs). Removes and revises various duties of the Commissioner of Education.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (007365):** Deletes and replaces Section 49 of the original bill regarding a reporting requirement for the Commissioner of the Department of Education; deletes Section 57 of the original bill that made changes to interest and career inventories available to LEAs; and adds a new section correcting a typographical error related to a code citation. Requires that records maintained by an intercollegiate athletics program of a public institution of higher education are to be treated as confidential and must not be open for public inspection if the records contain information relating to game integrity, player integrity or information that is traditionally not revealed publicly due to the public institution of higher education's need to maintain competitiveness in a sport. Defines certain confidential information that could be used to reasonably affect the integrity of intercollegiate athletics programs. Clarifies that the act does not limit access to records by a law enforcement agency, court, or other governmental agency that is performing an official function. Requires records that are confidential pursuant to this section to be released to the public upon a request made in accordance with Tenn. Code Ann. § 10-7-503 if the public interest in the content of the records outweighs the interest of game integrity or player integrity.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Based on information provided by the DOE the various education provisions related to this legislation removes outdated and obsolete sections of code and adds clarifying

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language to current practices; therefore, there will be no significant impact to the DOE or LEAs.

- Local boards of education and LEAs will be able to amend their policies in accordance with the provisions of this legislation during the normal course of business without any significant fiscal impact.
- Requiring records maintained by an intercollegiate athletics program of a public institution of higher education to be treated as confidential can be handled with each public institution's current staff and within the existing resources of each institution; therefore, the provisions of this legislation will not result in any significant increase to state expenditures.

**CERTIFICATION:**

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



Krista Lee Carsner, Executive Director

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