

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 561 - HB 1156

April 18, 2019

**SUMMARY OF ORIGINAL BILL:** Extends, from December 1, 2019 to December 15, 2019, the deadline for the advisory task force reviewing the composition of Tennessee's judicial districts to publish its required statewide judicial redistricting plan.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (008495):** Deletes all language of the original bill after the enacting clause. Creates the thirty-second judicial district consisting of Hickman, Lewis and Perry Counties, effective September 1, 2022. Establishes that the twenty-first judicial district consists of Williamson County, effective September 1, 2022.

Establishes that the incumbent trial court judge elected to the twenty-first judicial district shall continue to serve the district until September 1, 2022, at which time the trial court shall be transferred to the thirty-second judicial district and presided over by a trial court judge to be elected by voters of the thirty-second judicial district at the August 2022 general election and every eight years thereafter.

Creates the position of a District Attorney General for the thirty-second judicial district, effective September 1, 2022. Transfers the office space and all state-owned furniture, equipment, supplies, books, and other such office property located in the Centerville or Hohenwald offices of the District Attorney General of the twenty-first district and all records, files, papers, and other official documents pertaining to any pending or completed case arising out of any of the counties comprising the thirty-second judicial district to the District Attorney General for the thirty-second judicial district on September 1, 2022.

Transfers three assistant district attorney general positions from the twenty-first judicial district to the thirty-second judicial district effective September 1, 2022. Entitles the District Attorney General for the thirty-second judicial district to two victim-witness coordinator positions and one criminal investigator position.

Creates the position of the District Public Defender for the thirty-second judicial district, effective September 1, 2022. Transfers all records, files, papers, and other official documents pertaining to any pending or completed case arising out of any of the counties comprising the thirty-second judicial district to the District Public Defender for the thirty-second judicial district on September 1, 2022. Authorizes the District Public Defender for the thirty-second judicial

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district to purchase office space and other office property reasonably necessary to establish the office.

Transfers three assistant public defender positions from the twenty-first judicial district to the thirty-second judicial district effective September 1, 2022. Entitles the District Public Defender for the thirty-second judicial district to one district investigator position.

Prohibits this legislation from being construed to limit, terminate, or otherwise affect the term or future terms of office of any circuit court clerk, criminal court clerk, or clerk and master.

Establishes that the clerk of court for the newly created thirty-second judicial district shall be elected at the regular August election in 2022 and serve a full four-year term.

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

**Increase State Expenditures – \$564,000/FY22-23  
Exceeds \$646,000/FY23-24 and Subsequent Years**

Assumptions for the bill as amended:

- The proposed legislation creates positions effective September 1, 2022, which is approximately 83.33 percent of FY22-23. As such, this analysis estimates 83.33 percent of the fiscal year impact will occur in FY22-23 and 100 percent will occur in FY23-24 and subsequent years.
- Pursuant to Tenn. Code Ann. § 8-7-230 and § 8-14-107, district attorney criminal investigators and public defender district investigators receive step raises outlined in statute; therefore, this analysis estimates the impact of hiring such positions in FY22-23 and estimates the impact of any subsequent year to exceed the impact of FY22-23.
- The proposed legislation creates the positions of a District Attorney General and District Public Defender for the thirty-second judicial district.
- The recurring salary and benefits for a district attorney general and a district public defender are estimated to be \$193,037 (\$159,924 salary + \$33,113 benefits) each.
- Additionally, both of these positions will require recurring funding for supplies, travel, legal subscriptions, etc., estimated to be \$2,025 per year.
- The proposed legislation creates two victim-witness coordinator positions for the thirty-second judicial district.
- The recurring salary and benefits for a victim-witness coordinator position is \$48,528 (\$35,988 + \$12,540 benefits).
- The proposed legislation creates one district attorney criminal investigator position for the thirty-second judicial district.
- The recurring salary and benefits for a criminal investigator position is \$54,335 (\$40,968 salary + \$13,367 benefits).

- The one-time expenditures associated with the victim-witness coordinator positions and the district attorney criminal investigator position is \$13,800 [\$2,800 office furniture + \$1,800 computer) x 3].
- Additionally, the three positions will require recurring funding for supplies, travel, equipment rentals, and communication estimated to be \$5,250 each per year.
- Under the provisions of this legislation, the office space and all state-owned furniture, equipment, supplies, books, and other such office property located in the Centerville or Hohenwald offices of the District Attorney General of the twenty-first district to the District Attorney General for the thirty-second judicial district on September 1, 2022; therefore, there will not be a significant increase in state expenditures related to rent, utilities, general supplies, or other expenditures for the district attorney.
- The proposed legislation creates one public defender district investigator position for the thirty-second judicial district.
- The recurring salary and benefits for a district investigator position is \$54,335 (\$40,968 + \$13,367).
- The one-time expenditures associated with the district investigator position for office furniture and computer is estimated to be \$4,600 (\$2,800 office furniture + \$1,800 computer).
- Additionally, the position will require recurring funding for travel, supplies, communications, legal subscriptions, and training estimated to be \$9,000 per year.
- The proposed legislation entitles the district public defender to purchase office space and other office property as necessary to establish the Office of the Public Defender for the thirty-second judicial district.
- The one-time cost associated with such office set up is estimated to be \$7,300 for cabling, internet and moving expenses.
- The recurring cost associated office space is estimated to be \$25,428 per year.
- The legislation further specifies that it is not to be construed to limit, terminate, or otherwise affect the term or future terms of office of any circuit court clerk, criminal court clerk, or clerk and master. Therefore, though this legislation may result in a reduction of workload for the personnel of the twenty-first judicial district, it is estimated that there will not be a reduction in staff or related expenditures.
- The elections of the newly created positions fall on an existing election cycle; therefore, there is not a significant increase in expenditures related to electing the officials.
- Any impact to the salaries or benefits of transferred employees is estimated to be not significant.
- The total one-time increase in state expenditures in FY22-23 resulting from the proposed legislation is estimated to be \$564,035 ( { [(\$193,037 x 2) + (\$2,025 x 2) + (\$48,528 x 2) + \$54,335 + (\$5,250 x 3) + \$54,335 + \$9,000 + \$25,428] x 83.33% } + \$13,800 + \$4,600 + 7,300).
- The total recurring increase in state expenditures in FY23-24 and subsequent fiscal years resulting from the proposed legislation is estimated to exceed \$646,028 [(\$193,037 x 2) + (\$2,025 x 2) + (\$48,528 x 2) + \$54,335 + (\$5,250 x 3) + \$54,335 + \$9,000 + \$25,428].

**CERTIFICATION:**

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



Krista Lee Carsner, Executive Director

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