



SB 561 - HB 1156

February 1, 2020

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 (013670): 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.

Entitles the District Attorney General for the thirty-second judicial district to employ three assistant district attorney general positions, one administrative assistant position, two secretary positions, one criminal investigator position, and two victim-witness coordinator positions.

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

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

Entitles the District Public Defender for the thirty-second judicial district to employ three assistant public defender positions, one district investigator position, one administrative assistant position, and two secretary positions.

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.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures – \$1,275,500/FY22-23

Exceeds \$1,431,300/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. § 8-7-226 and § 8-14-107, assistant district attorneys and assistant public defenders 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 \$196,790 (\$163,128 salary + \$33,662 benefits) each.
- Additionally, both of these positions will require recurring funding for supplies, travel, legal subscriptions, etc., estimated to be \$6,100 per year.
- The proposed legislation creates three assistant district attorney and three assistant public defender positions for the thirty-second judicial district.
- The recurring salary and benefits for each of the six (3 + 3) positions is estimated to be \$81,793 (\$64,512 salary + \$17,281 benefits).
- Additionally, each of these positions will require recurring funding for supplies, travel, legal subscriptions, etc., estimated to be \$6,100 per year.
- The proposed legislation creates one district attorney administrative assistant, two district attorney secretaries, one public defender administrative assistant, and two public defender secretary positions.
- The recurring salary and benefits for each of the six (1 + 2 + 1 + 2) administrative assistant or secretary positions is \$40,150 (\$28,800 + \$11,350).
- Additionally, each of these positions will require recurring funding for supplies, travel, legal subscriptions, etc., estimated to be \$3,200 per year.

- 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 \$47,034 (\$34,704 salary + \$12,330 benefits).
- Additionally, this position will require recurring funding for supplies, travel, legal subscriptions, etc., estimated to be \$5,500 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 \$58,747 (\$44,748 + \$13,999 benefits).
- Additionally, both of these positions will require recurring funding for supplies, travel, legal subscriptions, etc., estimated to be \$5,500 per year.
- 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 \$51,582 (\$38,604 + \$12,978).
- Additionally, this position will require recurring funding for supplies, travel, legal subscriptions, etc., estimated to be \$5,500 per year.
- The one-time increase in state expenditures in FY22-23 associated with such positions is \$82,800 [\$2,800 office furniture + \$1,800 computer) x 18].
- 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 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.
- The total one-time increase in state expenditures in FY22-23 resulting from the proposed legislation is estimated to be \$1,275,542 ({ [(\$196,790 x 2) + (\$6,100 x 2) + (\$81,793 x 6) + (\$6,100 x 6) + (\$40,150 x 6) + (\$3,200 x 6) + \$47,034 + \$5,500 + (\$58,747 x 2) + (\$5,500 x 2) + \$51,582 + \$5,500] x 83.33% } + \$82,800).
- The total recurring increase in state expenditures in FY23-24 and subsequent fiscal years resulting from the proposed legislation is estimated to exceed \$1,431,348 [(\$196,790 x

2) + (\$6,100 x 2) + (\$81,793 x 6) + (\$6,100 x 6) + (\$40,150 x 6) + (\$3,200 x 6) + \$47,034 + \$5,500 + (\$58,747 x 2) + (\$5,500 x 2) + \$51,582 + \$5,500].

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

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