



June 1, 2020

**SUMMARY OF ORIGINAL BILL:** Changes restitution from a condition of probation or a component of a plea agreement in a criminal action to a final civil judgment. Makes various changes to restitution for victims of crime.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (017891):** Deletes and replaces all language after the enacting clause. Authorizes a general sessions court to direct a defendant to make restitution to the victim of an offense as a condition of probation or enter an order of restitution awarding a civil judgment of restitution to the victim of an offense. Authorizes a victim of the offense to choose to receive restitution in the form of a civil judgment or in payments or performance by the defendant as a condition of probation. Makes various changes to restitution orders for victims of crime. Effective October 1, 2020.

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

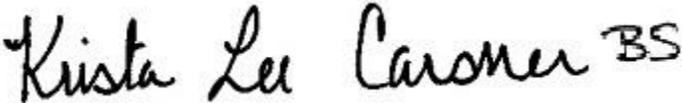
**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann § 40-35-304, a sentencing court is authorized to direct a defendant to make restitution to the victim of the offense as a condition of probation. If a sentence is agreed upon, restitution will be included as part of a plea agreement.
- Any impact to the court system resulting from the proposed legislation will be accomplished utilizing existing judicial resources. Any fiscal impact is estimated to be not significant.

**CERTIFICATION:**

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

Handwritten signature of Krista Lee Carsner BS in black ink.

Krista Lee Carsner, Executive Director

/amj