

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 642 - SB 578

March 4, 2019

SUMMARY OF BILL: Creates the District Public Defender Appellate Division (Division) for the purpose of representing indigent persons in direct appeals to the Tennessee Court of Criminal Appeals and the Tennessee Supreme Court. Authorizes six appellate attorney positions effective July 1, 2019.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – \$45,600/One-Time
\$678,600/Recurring**

Assumptions:

- The proposed legislation will result in the hiring of six assistant district public defenders and two legal secretaries and will result in a recurring increase in state expenditures estimated to be \$676,154 (\$435,528 salaries + \$124,826 benefits + \$32,400 travel + \$8,000 software licensing/supplies + \$64,000 rent + \$1,800 annual training + \$9,600 communication).
- Professional privilege taxes will be paid annually by the state as the employer in the amount of \$400 per attorney. It is assumed the attorneys that will be hired are currently paying the occupational privilege tax; therefore, no revenue impact to the General Fund is anticipated. However, the Division will require an annual appropriation in order to pay such tax on behalf of these new attorney positions. As a result, the recurring increase in state expenditures is estimated to be \$2,400 (\$400 tax rate x 6 attorney positions).
- The one-time increase in state expenditures associated with the eight additional positions is estimated to be \$45,600 (\$23,600 office furniture + \$22,000 computers).
- The total recurring increase in state expenditures is estimated to be \$678,554 (\$676,154 + \$2,400)

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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

/amj