

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1852

January 27, 2020

SUMMARY OF BILL: Requires an on-site facility or departmental supervisor-in-charge to immediately report a security breach at a secure juvenile detention or correctional facility to the chief law enforcement officer of the county in which the facility is located. Authorizes an on-site facility or departmental supervisor-in-charge who fails to comply with outlined reporting requirements regarding a security breach or an escape by a juvenile who is alleged or adjudicated to be delinquent by virtue of an act which would be a felony if committed by an adult to be charged with the offense of permitting or facilitating escape under Tenn. Code Ann. § 39-16-607.

Requires the Department of Children's Services (DCS) annual report to contain certain information regarding any escape, attempted escape, security breach or attempted security breach that occurred in the previous calendar year at a secure juvenile detention or correctional facility.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The proposed legislation defines a security breach as entry into a secure detention or correctional facility by an adult or child who is not authorized to do so.
- Pursuant to Tenn. Code Ann. § 39-16-607, permitting or facilitating escape is a Class E felony offense.
- This analysis assumes that an on-site facility or departmental supervisor-in-charge not complying with the outlined reporting requirements in the proposed legislation could be charged with permitting or facilitating escape under Tenn. Code Ann. § 39-16-607. Any impact to state incarceration resulting from specifying this information is estimated to be not significant.
- The proposed legislation requires the DCS annual report to contain the facts of any escape, security breach, or attempt, the time when the escape, breach, or attempt occurred, and the circumstances under which the escape, breach, or attempt occurred.
- Any impact to DCS resulting from including the required information in the DCS annual report will be accomplished utilizing existing resources; any impact to the DCS is estimated to be not significant.

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