

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2069 - SB 2746

February 13, 2020

SUMMARY OF BILL: Excludes the offenses of patronizing prostitution from a person who is younger than 18 years of age or has an intellectual disability and promoting prostitution of a minor from consideration for judicial diversion.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 39-13-514(b)(3) and Tenn. Code Ann. § 39-13-515(c)(1), patronizing prostitution from a person who is younger than 18 years of age or has an intellectual disability and promoting prostitution of a minor are punishable as trafficking for a commercial sex act under Tenn. Code Ann. § 39-13-309.
- Based on information provided by the Administrative Office of the Courts (AOC), the average number of pre-trial or judicial diversions for Class A or Class B felony offenses under Tenn. Code Ann. § 39-13-309 is 282.6 each year over the last five years.
- Based on information provided by AOC, the average number of convictions under Tenn. Code Ann. § 39-13-309 is 10.6 each year over the last five years.
- This analysis assumes that individuals charged with patronizing prostitution from a person who is younger than 18 years of age or has an intellectual disability and promoting prostitution of a minor are convicted under current law.
- Based on information provided by the Department of Correction, any impact to state incarceration resulting from the proposed legislation is estimated to be not significant.
- Any impact to the court system, supervisory programs overseeing probation, or fee revenue paid to a clerk of the court to process an expunction after the completion of a judicial diversion program 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