

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2100 - SB 2828

February 18, 2020

SUMMARY OF BILL: Requires a correctional institution to provide postpartum prisoners and detainees access to breast pumps at regular intervals for a period of six months from giving birth. Requires the Department of Health (DOH) to provide breast pumps to pregnant prisoners and detainees free of charge. Requires a correctional institution to provide sanitary storage for a prisoner or detainee's breastmilk. Requires a correctional institution to allow for visits to enable breastfeeding of the prisoner or detainee's child or to allow for the timely collection of breast milk expressed by the prisoner or detainee for the child by the prisoner or detainee's family, relatives, or other designated individuals.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – \$266,500/FY20-21
\$259,000/FY21-22 and Subsequent Years**

**Increase Local Expenditures – \$332,500/FY20-21*
\$95,000/FY21-22 and Subsequent Years***

Assumptions:

- The proposed legislation defines a correctional institution as any facility under the authority of any state, county, or municipal government that has the power to detain or restrain, or both a person under the laws of Tennessee.
- The Department of Correction (DOC) houses women in the Bledsoe County Correctional Complex, the Tennessee Prison for Women, and the Women's Therapeutic Residential Center.
- The proposed legislation will require DOC to purchase refrigerators for the three locations housing women to store expressed breast milk. The one-time increase in state expenditures in FY20-21 associated with refrigerators is estimated to be \$7,500 (\$2,500 x 3).
- DOC will be required to supply breast milk storage bags and cleaning supplies. The recurring increase in state expenditures in FY20-21 and subsequent fiscal years associated with supplies is estimated to be \$6,498 (\$2,166 per state correctional facility x 3 facilities).
- The proposed legislation will require local jails to purchase refrigerators in each county to store expressed breast milk.

- The mandatory one-time increase in local expenditures in FY20-21 associated with refrigerators is estimated to be \$237,500 (\$2,500 x 95).
- The mandatory recurring increase in local expenditures in FY20-21 and subsequent fiscal years to provide breast milk storage bags and cleaning supplies to inmates is estimated to be \$95,000 (\$1,000 per county facility x 95 county facilities).
- The total one-time increase in local expenditures in FY20-21 associated with the proposed legislation is estimated to be \$332,500 (\$237,500 + \$95,000).
- The total recurring increase in local expenditures in FY21-22 and subsequent fiscal years associated with the proposed legislation is estimated to be \$95,000.
- The proposed legislation requires the DOH to provide breast pumps to inmates. Breast pumps will be required to be replaced annually.
- The recurring increase in state expenditures in FY20-21 and subsequent fiscal years to provide two hospital grade breast pumps in each DOC female facility is estimated to be \$15,000 (\$2,500 per pump x 2 per facility x 3 facilities).
- The recurring increase in state expenditures in FY20-21 and subsequent fiscal years to provide one hospital grade breast pump in each county jail is estimated to be \$237,500 (\$2,500 per pump x 95 county facilities).
- The total one-time increase in state expenditures in FY20-21 associated with the proposed legislation is estimated to be \$266,498 (\$7,500 + \$6,498 + \$15,000 + \$237,500).
- The total recurring increase in state expenditures in FY21-22 and subsequent fiscal years associated with the proposed legislation is estimated to be \$258,998 (\$6,498 + \$15,000 + \$237,500).

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

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



Krista Lee Carsner, Executive Director

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