

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2412 - SB 2795**

February 19, 2020

**SUMMARY OF BILL:** Authorizes notification to be published in a newspaper if postal addresses of certain parties cannot be ascertained in conservatorship proceedings. Requires that certain examination reports in conservatorship proceedings are confidential and not open for inspection by the public.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Expenditures –  
\$21,700/FY20-21 and Subsequent Years/Permissive**

Assumptions:

- Pursuant to Tenn. Code Ann. § 34-1-108, notice is required to be served upon the closest relative or relatives of the respondent. Service by mail sent to the last known address of such persons is sufficient.
- Under this legislation, if, after reasonable effort, a postal address cannot be ascertained, a notification may be published on the Secretary of State's website and in a newspaper of general circulation in the county where the petition is filed, or if there is no newspaper of general circulation published in the county, notice may be posted at the county courthouse.
- It can be reasonably assumed that each county would utilize this authority at least twice each fiscal year.
- Based on responses to the 2017 Local Government Survey conducted by the Fiscal Review Committee staff, participating local government officials reported the average cost for a newspaper notification is \$114.
- The recurring statewide permissive increase in local expenditures is estimated to exceed \$21,660 [(95 counties x 2 utilizations) x \$114] beginning in FY20-21.
- Per the language of this legislation, court forms that do not comply may be used until current supplies are exhausted and new forms prepared; therefore, there will not be an increase in expenditures as a result of printing out of circulation.
- Any increase in caseloads to probate courts can be accommodated within existing resources without an increased appropriation or reduced reversion.
- A notification can be published on the Secretary of State's website utilizing existing resources and personnel; therefore, there will be no significant impact to state expenditures.

- Requiring that certain examination reports in conservatorship proceedings are confidential and not open for inspection by the public will not result in a significant fiscal impact to local government.

**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

/jmg