

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 481 - HB 901**

February 28, 2019

**SUMMARY OF BILL:** Designates a knowing act to cause physical injury to a utility employee that is performing duties in the scope of the employment of a utility as a Class A misdemeanor with a maximum fine of \$15,000.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Pursuant to Tenn. Code Ann. § 65-35-101(4), a utility means any person, municipality, county, cooperative, board, commission, district or any entity created or authorized by public act, private act, or general law to provide electricity, natural gas, water, sanitary sewer service, telephone service, or any combination thereof, for sale to customers.
- This legislation makes the knowing act to cause physical injury to a utility employee that is performing duties in the scope of the employment of a utility as a Class A misdemeanor with a maximum fine of \$15,000.
- Under current law, pursuant to Tenn. Code Ann. § 39-13-101(a), this action would be charged as a Class A or Class B misdemeanor simple assault, if no serious bodily injury occurred, there was no use or display of a deadly weapon, or no involvement of strangulation.
- Any cost to local jail systems resulting from possible conviction enhancements is estimated to be not significant.
- There will not be a sufficient change in the number of misdemeanor prosecutions for state or local government to experience any significant increase in revenue or expenditures.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant. There will not be a significant increase in revenue as a result collecting fines associated with these offenses.
- The courts, district attorneys, and public defenders will not experience an increase in caseloads as these offenses are being charged under current law. Any impact to the court system is estimated to be not significant.

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**CERTIFICATION:**

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

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

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