

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 502 - HB 772**

February 28, 2019

**SUMMARY OF BILL:** Establishes that the seizure and forfeiture of vehicles is applicable after certain DUI violations, rather than convictions.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenue – \$217,500**  
**Increase State Expenditures – Exceeds \$43,500**

**Increase Local Revenue – \$187,500**  
**Increase Local Expenditures – \$37,500**

Assumptions:

- According to information provided by the Department of Safety (DOS), there were 289 DUI seizures in 2018 statewide.
- It can be reasonably estimated there are 250 annual DUI seizures by local entities statewide.
- Seizing a vehicle at the time of a violation, rather than a conviction, will result in more vehicle seizures.
- Seized vehicles are auctioned by the law enforcement agency that seized the vehicle.
- No data could be obtained as to what the conviction rate is for second and subsequent DUI violations. Therefore, it is unknown how many more vehicles will be seized under the provisions of this legislation. However, estimating a 50 percent increase in the number of vehicles seized would be equivalent to 145 more vehicles being seized each year by the Tennessee Highway Patrol and approximately 125 more vehicles being seized by local governments.
- The average price for a seized vehicle is estimated to be \$1,500.
- The recurring increase in state revenue is estimated to be \$217,500 (145 x \$1,500).
- The recurring increase in local revenue is estimated to be \$187,500 (125 x \$1,500).
- The cost associated with seizing and storing a vehicle until sold at auction is unknown. However, the total cost is estimated to average at least \$300.
- The recurring increase in state expenditures is estimated to exceed \$43,500 (145 x \$300).

- The recurring increase in local expenditures is estimated to exceed \$37,500 (125 x \$300).
- The proposed legislation does not create any new offenses. It is expected that the courts, public defenders, and district attorneys can accommodate any impact within their existing resources.

**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