



May 8, 2020

SUMMARY OF BILL: Requires a person who was sentenced as an adult for an offense or offenses that were committed when the person was less than 18 years of age to be eligible for release on parole after serving 15 years of incarceration, including any time served in a county jail or juvenile facility.

ESTIMATED FISCAL IMPACT:

Decrease State Expenditures – \$2,213,300 Incarceration*

Assumptions:

- The proposed legislation is retroactive in its application.
- Tennessee Code Annotated § 40-35-501 requires anyone convicted of first degree murder to serve no less than 85 percent of the sentence received. A person convicted of first degree murder and sentenced to imprisonment for life is eligible for parole, or release eligible, after the person serves 51 full calendar years ($60 \text{ years} \times 85.0\% = 51$).
- Based on information provided by the Department of Correction (DOC), there has been an average of 3.6 admissions each year over the past 10 years where the offender was less than 18 years of age at the time of the offense and sentenced to life or life without parole.
- This analysis estimates that the proposed legislation will result in one offender every year being released 36 years ($51 - 15$) earlier than the offender would be released under current law.
- According to the DOC, the average operating cost per offender per day for calendar year 2020 is \$75.52.
- Pursuant to Tenn. Code Ann. § 9-4-210, one offender will released each year serving 13,149 fewer days (36×365.25). The annualized decrease in state incarceration expenditures is estimated to be \$993,012 ($\$75.52 \times 13,149 \times 1$).
- Based on information provided by DOC, there has been an average of 14.9 offenders released that were under the age of 18 at the time of the offense for other offenses not included above and the average time served exceeded 15 years.
- The average time served for such offenders was 21.32 years.
- This analysis estimates that the proposed legislation will result in 7 offenders each year being released 6.32 years ($21.32 - 15$) earlier than the offender would be released under current law.

- Pursuant to Tenn. Code Ann. § 9-4-210, 7 offenders will be released each year serving 2,308.38 fewer days (6.32 x 365.25). The annualized decreased in state incarceration expenditures is estimated to be \$1,220,302 ($\$75.52 \times 2,308.38 \times 7$).
- The total annualized decrease in state incarceration expenditures resulting from the proposed legislation is estimated to be \$2,213,314 ($\$993,012 + \$1,220,302$).

*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

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

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