

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2258 - HB 2398

May 8, 2020

**SUMMARY OF BILL:** Adds libraries and public spaces primarily intended for use by children under 18 years of age to the list of places where an individual, required to register pursuant to the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004 (SORA), is prohibited from being when the individual has reason to believe there may be children present.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – \$37,200 Incarceration\***

Assumptions:

- Pursuant to Tenn. Code Ann. § 40-39-211(f), a residential or work restriction violation of the SORA is a Class E felony.
- Based on information provided by the Department of Correction (DOC), there has been an average of 9.4 admissions for residential or work restriction violations of the SORA each year over the last 5 years.
- This proposed legislation will result in one Class E admission for a residential or work restriction violation of SORA each year.
- The average time served for a Class E felony is 1.35 years.
- Population growth and recidivism will not impact these admissions.
- 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 be admitted every year serving 493.09 days (1.35 x 365.25). The annualized increase in state incarceration expenditures is estimated to be \$37,238 (\$75.52 x 493.09 x 1).
- Any impact to the court system is estimated to be not significant.

\*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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