

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2309 - HB 2535

May 8, 2020

SUMMARY OF BILL: Requires clerks of the courts with criminal jurisdiction to report data regarding the release of criminal defendants each month to the Administrative Office of the Courts (AOC). Requires the AOC to prepare and transmit a summary report of the collected information to the Judiciary Committees of the Senate and the House of Representatives by February 1 of each year.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – \$469,800/FY20-21
\$74,500/FY21-22 and Subsequent Years**

Increase Local Expenditures – Exceeds \$1,000,000*

Assumptions:

- Based on information provided by AOC, there is no process in place for court clerks to release the criminal defendant data required by the proposed legislation.
- Collection of the data will require the development of an application and upgrades of the current Tennessee Court Information System and result in a one-time increase in state expenditures in FY20-21 estimated to be \$402,213 and a recurring increase in state expenditures in FY21-22 and subsequent years for application maintenance estimated to be \$11,475.
- AOC will require one full-time position to monitor monthly data loads and corrections.
- The recurring salary and benefits for the position is estimated to be \$61,000 (\$46,680 salary + \$14,320 benefits).
- Additionally, the position will require recurring funding for supplies, communication, etc. estimated to be \$2,000.
- The one-time increase in state expenditures in FY20-21 associated with the position is \$4,600 for computer and office set up.
- The total increase in state expenditures in FY20-21 is estimated to be \$469,813 (\$402,213 + \$61,000 + \$2,000 + \$4,600).
- The total increase in state expenditures in FY21-22 and subsequent fiscal years is estimated to be \$74,475 (\$11,475 + \$61,000 + \$2,000).

- Based on information provided by criminal court clerks, the required information is not readily accessible to clerks.
- Some counties will require additional personnel or require current personnel to work additional hours to comply with the provisions of this legislation. The mandatory recurring increase in local expenditures for personnel statewide is estimated to exceed \$1,000,000.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

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

/amj