

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 16 – HB 128

February 6, 2017

**SUMMARY OF ORIGINAL BILL:** Authorizes persons convicted of infamous crimes to petition the court for a certificate of employability without petitioning for a restoration of citizenship.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue – Exceeds \$100

Increase Local Revenue – Exceeds \$400

**SUMMARY OF AMENDMENT (002561):** Deletes and replaces the language of the original bill without making any substantive changes to the legislation.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 40-29-107(c), the petitioner is responsible for paying all costs for filing an application for a certificate of employability.
- Certificates of employability are classified as a category three civil action; therefore, costs and taxes are assessed pursuant to Tenn. Code Ann. § 8-21-104(b)(1)(D), with a state litigation tax of \$23.75, a local court fee of \$100, and local litigation taxes and fees.
- Local litigation taxes and fees vary across jurisdictions; on average are estimated to be \$30 per case.
- Pursuant to Tenn. Code Ann. § 40-29-107, a petition for a certificate of employability is filed in conjunction with or subsequent to filing a petition for restoration of citizenship. If a certificate of employability is filed in conjunction with a petition for restoration of citizenship, no additional court costs or fees are assessed.
- Based on information provided by the court clerks, it is reasonably estimated that a minimum of three additional certificates for employability will be filed statewide

independent of petitions filed for restoration of citizenship each year as a result of this legislation as amended.

- The proposed legislation as amended will result in a recurring increase in state revenue estimated to exceed \$71 (3 certificates x \$23.75 state litigation tax) and a recurring increase in local revenue estimated to exceed \$390 [(\$100 category three civil action fee + \$30 local litigation taxes and fees) x 3 certificates].

**CERTIFICATION:**

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



Krista M. Lee, Executive Director

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