

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 303 - HB 470

March 17, 2023

SUMMARY OF BILL: Enacts the *Gabby Act*.

Creates a domestic violence and child abuse task force (task force) in the Tennessee Bureau of Investigation (TBI) to investigate matters pertaining to: 1) domestic abuse; (2) domestic assault; (3) child abuse, neglect, and endangerment; (4) aggravated child abuse, neglect, and endangerment; and (5) child sexual abuse. Requires the task force to assist local law enforcement agencies that request assistance in such cases by: (1) setting deadlines for the agency; (2) providing resources and surveillance; and (3) conducting additional witness interviews. Requires the TBI to cover the cost of development and implementation of the task force utilizing existing resources.

Requires local law enforcement agencies to request assistance from the task force if an arrest warrant issued in relation to the case is unable to be served within 72 hours or a search warrant is unable to be served within 5 days. Requires local law enforcement agencies to provide to the task force and the victim relevant information about the case. Requires local law enforcement agencies to comply with the proposed legislation by utilizing existing resources. Adds domestic abuse victims to those who may request notification by the investigating agency of the release of the defendant prior to trial.

Establishes within the TBI a Purple Alert system to provide rapid, statewide dissemination of information about missing or endangered domestic abuse victims. Requires the TBI to develop guidelines and procedures for the implementation of the alert system including working with the Department of Transportation (TDOT) to develop a procedure for the use of overhead permanent changeable message signs to disseminate alerts. Authorizes the TBI to utilize the statewide infrastructure of the America's Missing Broadcast Emergency Response (AMBER) Alert to the extent permissible to facilitate the Purple Alert system.

Effective upon becoming a law for the purposes of implementation; effective July 1, 2023, for all other purposes.

FISCAL IMPACT:

**Increase State Expenditures – \$1,916,100/FY23-24
\$1,083,600/FY24-25 and Subsequent Years**

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Assumptions:

- Requiring the TBI to fund the implementation of this legislation utilizing existing resources does not remove the cost associated with implementation because use of existing funding will result in the need for additional resources to fund other currently budgeted departmental expenditures.
- The TBI will require an additional seven Special Agent Criminal Investigator positions and two Intelligence Analyst positions in order to do so.
- The required positions are based on an analysis conducted by the bureau that accounted for the estimated number of relevant cases for which the bureau would be required to assist as projected from historical crime data and reasonable assumptions, estimated number of hours per case required to assist local law enforcement with interviews and surveillance (a total of four hours for domestic violence cases and eight hours for child abuses cases), and the number of hours required of intelligence analysts to vet and coordinate the issuance of a Purple Alert (total of five hours per alert) based on precedent from other alert systems.
- The increase in state expenditures related to the Special Agent positions is estimated to be \$1,727,440 (\$460,068 salaries + \$127,709 benefits + \$1,139,663 equipment, supplies, training, travel, communication, and professional services) in FY23-24 and \$909,364 (\$460,068 salaries + \$127,709 benefits + \$321,587 equipment, supplies, training, travel, communication, and professional services) in FY24-25 and subsequent years.
- The increase in state expenditures related to the Intelligence Analyst positions is estimated to be \$188,626 (\$108,980 salaries + \$32,759 benefits + \$46,887 equipment, supplies, training, travel, communication, and professional services) in FY23-24 and \$174,196 (\$108,980 salaries + \$32,759 benefits + \$32,457 equipment, supplies, training, travel, communication, and professional services) in FY24-25 and subsequent years.
- The total increase in state expenditures is estimated to be \$1,916,066 (\$1,727,440 Special Agents + \$188,626 Intel Analysts) in FY23-24 and \$1,083,560 (\$909,364 Special Agents + \$174,196 Intel Analysts) in FY24-25 and subsequent years.
- Based on information provided by TDOT, the department can coordinate and assist in messaging for Purple Alerts utilizing existing resources.
- According to the Tennessee Sheriffs Association and the Tennessee Association of Chiefs of Police, local sheriffs and police departments will be able to comply with the requirements of the legislation utilizing existing resources.

CERTIFICATION:

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



Krista Lee Carsner, Executive Director