

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1121 - HB 1211

February 24, 2021

SUMMARY OF BILL: Creates an offense to intentionally obtain mail from another person's mailbox or premises without the consent of the addressee and with the intent to deprive the addressee of the mail. Specifies that the punishment for a second or subsequent offense of mail theft must not be less than a Class E felony.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$5,900 Incarceration*

Assumptions:

- Pursuant to 18 United States Code § 1708, stealing mail is a federal crime punishable by up to \$250,000 and imprisonment of up to five years.
- Under current law in Tennessee, intentionally taking mail from another person's mailbox or premises without the consent of the addressee and with the intent to deprive the addressee of the mail can be charged as theft of property or services and graded per Tenn. Code Ann. § 39-14-105.
- The proposed legislation creates an offense to intentionally take mail from another person's mailbox or premises without the consent of the addressee and with the intent to deprive the addressee of the mail, punishable as theft under Tenn. Code Ann. § 39-14-105 after determining the value under Tenn. Code Ann. § 39-11-106, and the punishment for a second or subsequent mail theft offense must not be less than a Class E felony.
- The proposed legislation will result in one Class E felony admission every three 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 2021 is \$80.46.
- The average time served for a Class E felony is 0.60 years.
- Pursuant to Tenn. Code Ann. § 9-4-210, one offender will be admitted every three years serving 219.15 days (0.60 x 365.25). The annualized increase in state incarceration expenditures is estimated to be \$5,878 (\$80.46 x 219.15 / 3).
- Any impact on 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 "Bojan Savic". The signature is written in a cursive, slightly slanted style.

Bojan Savic, Interim Executive Director

/mj