

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1766 - SB 1793

January 25, 2022

SUMMARY OF BILL: Requires a judge to revoke bail for a defendant who is convicted of continuous sexual abuse of a child.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 40-11-113(b), a judge is required to revoke bail immediately, notwithstanding sentencing hearings, motions for a new trial, or related post-guilt determination hearings, if a defendant is convicted of first-degree murder, a Class A felony, or a violation of specified offenses.
- The proposed legislation adds the offense of continuous sexual abuse of a child to the list of offenses a judge is required to revoke bail. Continuous sexual abuse of a child offense is punishable as a Class A, Class B, or Class C felony, depending on specific circumstances of the offense.
- Based upon information provided by the Department of Correction (DOC), there has been an average of .80 admissions in each of the last 10 years for the Class A felony offense under Tenn. Code Ann. § 39-13-518 for continuous sexual abuse of a child, with an estimated average sentence length of 24.75 years. There have been no Class B or Class C admissions.
- Due to the low number of admissions and the current requirement to revoke bail for Class A felonies, the proposed legislation will not significantly impact incarceration costs. Any increase in state or local expenditures will be not significant.

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".

Krista Lee Carsner, Executive Director

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