

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 215 – HB 973**

March 19, 2017

**SUMMARY OF BILL:** Deletes the requirement that all issues concerning elevators, dumbwaiters, escalators, aerial passenger tramways, and amusement devices be heard by the Elevator and Amusement Device Safety Board within the Department of Labor and Workforce Development (DLWD), and instead establishes a subcommittee within DLWD, whose focus shall be related to issues concerning elevator safety. Removes the \$300 penalty for failing to comply with a cease and desist order for each day of non-compliance after a fatality, serious physical injury, or serious incident has occurred.

**ESTIMATED FISCAL IMPACT:**

**Forgone State Revenue - \$1,200**

Assumptions:

- Based on information provided by the DLWD, any change in expenditures related to issues concerning elevators, dumbwaiters, escalators, aerial passenger tramways, and amusement devices to be heard by the established subcommittee instead of the Elevator and Amusement Device Safety Board within the DLWD are considered not significant.
- It is reasonable to assume that one company a year will fail to comply with requirements following a serious injury or a fatality. Furthermore, for purposes of the fiscal note, it is assumed that any company failing to comply with a cease and desist order will do so for an average of four days.
- Currently DLWD is permitted to collect fine revenue for failing to comply with a cease and desist order for each day of non-compliance after a fatality, serious physical injury, or serious incident has occurred. The Department reports that no fine revenue has been collected to date.
- Public Chapter 815 of 2016 had an estimated recurring increase in state revenue to the General Fund of \$1,200. Passage of this legislation will affectively remove the ability to collect the estimated fine revenue and will therefore result in forgone state revenue of a like amount.
- The recurring forgone state revenue to the General Fund is estimated to be \$1,200 (\$300 fine x 4 days).

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**IMPACT TO COMMERCE:**

**NOT SIGNIFICANT**

Assumption:

- The provisions of the legislation will not impact commerce or jobs in Tennessee.

**CERTIFICATION:**

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

Handwritten signature of Krista M. Lee in blue ink.

Krista M. Lee, Executive Director

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