

SB 769 – HB 1140

FISCAL NOTE



Fiscal Review Committee
Tennessee General Assembly

February 6, 2025

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SUMMARY OF BILL: Increases, from a Class A misdemeanor punishable by fine only to a Class E felony, the penalty for the offense of possession of a used, detached catalytic converter by an unauthorized person.

FISCAL IMPACT:

STATE GOVERNMENT	
EXPENDITURES	Incarceration
	\$152,100

Assumptions:

- Public Chapter 213 of 2021 created the Class A misdemeanor offense of possession of a used, detached catalytic converter by an unauthorized person.
- Based on information provided by the Administrative Office of the Courts and the Department of Correction Jail Summary Reports, there have been an average of 12.13 Class A misdemeanor convictions of in each of the last three years for possession of a used, detached catalytic converter by an unauthorized person.
- It can be reasonably assumed that 12.13 convictions will be classified as a Class E felony under this legislation.
- The average time served for a Class E felony is 0.56 years.
- Based on population data from the U.S. Census Bureau, population growth in Tennessee averaged 1.24 percent per year (from 2021 to 2024).
- The weighted average operational costs per inmate per day are estimated to be \$62.02 for inmates housed at state facilities and \$50.51 for inmates housed at local facilities.
- The estimated increase in incarceration costs is estimated to be the following over the next three-year period:

Increase in State Expenditures	
Amount	Fiscal Year
\$ 148,500	FY25-26
\$ 150,300	FY26-27
\$ 152,100	FY27-28

- Pursuant to Public Chapter 1007 of 2022, recurring cost increases are to be estimated on the highest of the next three fiscal years; therefore, the recurring increase in incarceration costs will be \$152,100.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant. The proposed legislation will not significantly change state or local revenue.
- The estimated fiscal impact of the proposed legislation does not consider the availability of beds in state and local facilities, but is based solely on the current operating costs of state facilities and the reimbursement rates for local facilities as is required by Tenn. Code Ann. § 9-4-210.
- All calculations used in completion of this fiscal note are available upon request.

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, Executive Director