

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 864 – SB 1324**

February 22, 2019

**SUMMARY OF BILL:** Defines the term “guardian” for purposes of criminal injury compensation as a legal guardian or custodian of a minor victim, or a person having custody, care, and control of a minor victim through a valid power of attorney.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures –  
Exceeds \$36,000/Criminal Injuries and Compensation Fund**

Assumption:

- Under current law, a guardian of a minor victim can file a claim against the Criminal Injuries and Compensation Fund.
- Inclusion of the term “legal custodian” in the definition of “guardian” could result in additional individuals who were previously not eligible to receive criminal injury compensation on behalf of a minor to become eligible.
- According to the Treasury Department, there were 24 claims filed each year where the claimant could not prove that he or she was the minor’s guardian, and those claims were denied on the basis of custody.
- Assuming at least 50 percent, or 12, of such claimants, qualify for an average payment of \$3,000 from the Criminal Injuries and Compensation Fund as a result of this legislation, the recurring increase in state expenditures from the Fund will exceed \$36,000 (12 claims x \$3,000 per claim).
- Any administrative impact on the Department is estimated to 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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