

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 998 - SB 1460**

March 10, 2021

**SUMMARY OF BILL:** Authorizes a designated beneficiary of a deceased claimant wrongfully imprisoned and granted exoneration to receive the remaining wrongful imprisoned compensation. Revises the order of eligibility for recipient payments after the claimant is deceased.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – Passage of this bill will increase state expenditures and the liability of the Risk Management Fund up to \$1,000,000 for any future claim paid to a beneficiary as a direct result of this bill; the extent, amount, and timing of any future payable claims if any are unknown.**

Assumptions:

- Pursuant to Tenn. Code Ann. § 9-8-108(a)(7)(A), wrongful imprisonment compensation shall not exceed \$1,000,000.
- Pursuant to Tenn. Code Ann. § 9-8-108(a)(7)(C), if a claimant dies without leaving a surviving spouse or surviving minor children, remaining payments shall cease.
- The proposed legislation authorizes, upon the death of a claimant, remaining monthly payments to be remitted to a designated beneficiary and specifies in instances that a claimant dies without a designated beneficiary, monthly payments shall be paid to the claimant's surviving spouse or surviving children.
- In each instance where a claimant with no surviving spouse or surviving minor children with a designated beneficiary dies, there will be an increase in state expenditures and increase the liability of the Risk Management Fund; however, the extent, amount, and timing of any future payable claims, if any, cannot be reasonably determined.

**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 style with a large initial 'B'.

Bojan Savic, Interim Executive Director

/mj