



February 1, 2021

SUMMARY OF BILL: Enhances the penalty for the offense of voluntary manslaughter to a Class B felony.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$3,328,200 Incarceration*


Assumptions:

- Pursuant to Tenn. Code Ann. § 39-13-211, voluntary manslaughter is a Class C felony offense.
- Based on information provided by Department of Correction (DOC), there has been an average of 43.8 admissions per year for voluntary manslaughter over last five years.
- Based on population data from the U.S. Census Bureau, population growth in Tennessee averaged 0.80 percent per year for each of the past 10 years (from 2009 to 2019), yielding a projected compound population growth rate of 8.3 percent. Assuming Tennessee's population continues growing by the same rates over the next 10-year period, population growth will account for 3.6 (43.8 x 8.3%) additional admissions for a total of 47 (43.8 + 3.6).
- According to the DOC, 46.28 percent of offenders will re-offend within three years of their release. A recidivism discount of 46.28 percent has been applied to this estimate to account for the impact of offenders who would re-offend under current law within the additional time added by this bill. It is assumed that the re-offender would have committed the subsequent offense at the same felony level as under the proposed legislation (47 offenders x 46.28% = 22 offenders).
- The average time served for voluntary manslaughter is 5.47 years.
- This analysis assumes individuals convicted of a Class B felony offense of voluntary manslaughter will serve 10 years under the proposed legislation.
- According to the DOC, the average operating cost per offender per day for calendar year 2021 is \$80.46.
- The proposed legislation will result in each admission serving an additional 4.53 years (10 - 5.47).
- Pursuant to Tenn. Code Ann. § 9-4-210, 25 (47 - 22 recidivism discount) offenders will be admitted every year serving an additional 1,654.58 days (4.53 x 365.25). The annualized increase in state incarceration expenditures is estimated to be \$3,328,188 (\$80.46 x 1,654.58 x 25).

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

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, Interim Executive Director

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