

SB 330 - HB 454

FISCAL MEMORANDUM



Fiscal Review Committee
Tennessee General Assembly

March 25, 2025

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SUMMARY OF BILL AS AMENDED (006470): Creates the Office of the Corrections Ombudsman (Office). Establishes the duties and powers of the Office, including but not limited to, the authority to: (1) commence an investigation; (2) work with the Department of Correction (DOC) or a contractor to investigate complaints; (3) render a decision on the merits of an investigation; and (4) advise the General Assembly on matters pertaining to the state's correctional system. Requires suitable office space to be provided for the Office in Nashville convenient to the General Assembly.

Requires the Speaker of the Senate and the Speaker of the House of Representatives to appoint an ombudsman. Additional personnel of the Office are required to be recommended by the ombudsman with the approval of the Speaker of the Senate and the Speaker of the House of Representatives. Authorizes the Office to select and recommend the employment or transfer of all personnel, up to 10 individuals, needed for the operation of the Office. Requires the ombudsman to deliver a report to the Chairs of certain legislative committees concerning its work and any recommendation it wishes to make pertaining to the state's correctional system, beginning July 1, 2027. Authorizes the ombudsman to request the General Assembly through the appropriate committee to issue subpoenas, including subpoenas duces tecum, to enforce the attendance of witnesses and the production of records, documents, papers, or other items of evidence, and the administration of oaths to persons testifying in cooperation with an investigation of the Office.

Requires DOC, a contractor, and all correctional employees to, at all times, cooperate with the Office and furnish to the Office its personnel information as may be necessary to enable the Office to perform its functions. Prohibits a correctional employee or inmate from being penalized in any way by any public official, contractor, or correctional employee as the result of filing a complaint with the Office or cooperating with the Office in investigating a complaint. Prohibits a person from hindering the lawful actions of the Office, or willfully refuse to comply with lawful demands of the Office.

Requires the ombudsman to provide written notice to the Chairs of the Government Operations Committees, who is authorized to conduct a hearing, if DOC, a contractor, or any correctional employee fails to cooperate with the Office. Effective upon becoming law for the purposes of hiring personnel, acquiring office space, and carrying out administrative duties necessary to effectuate this act. Effective January 1, 2026 for all other purposes.

FISCAL IMPACT:

STATE GOVERNMENT	
EXPENDITURES	General Fund
FY25-26	>\$297,500
FY26-27 & Subsequent Years	>\$286,100
Total Positions Required: 2	

Assumptions:

- The proposed legislation creates the Office of the Corrections Ombudsman within the Legislature.
- The salary for the ombudsman is required to be jointly determined by the Speakers of both houses. For purposes of this analysis, the salary and benefits are estimated to be \$129,454 (\$104,148 salary + \$25,306 benefits).
- Additionally, the ombudsman will require recurring funding for supplies, communications, travel, etc. estimated to be \$20,000.
- The total recurring increase in state expenditures associated with an ombudsman position is estimated to be \$149,454 (\$129,454 + \$20,000).
- It is unknown how many staff will be needed to fulfill the work of the Office in addition to the Ombudsman; however, the Office is authorized to employ or transfer up to 10 individuals to execute its duties.
- It is assumed that the Office will require at least one assistant to assist the Ombudsman with their duties.
- The salary and benefits for an Executive Assistant 1 position is estimated to be \$78,682 (\$60,600 salary + \$18,082 benefits).
- Additionally, the Executive Assistant position will require recurring funding for supplies, communications, travel, etc. estimated to be \$8,000.
- The total recurring increase in state expenditures associated with a new assistant position is estimated to be \$86,682 (\$78,682 + \$8,000).
- The one-time increase in state expenditures in FY25-26 associated with the two new positions is \$11,400 [(\$3,200 computer costs + \$2,500 office furniture) x 2].
- The proposed legislation requires suitable office space to be provided in Nashville convenient to the General Assembly.
- It is unknown if current office space exists for the Office or if additional office space will need to be acquired. It is reasonably assumed there will be a recurring increase in state expenditures for office space estimated to be \$50,000.
- The total increase in state expenditures associated with creating the Office of the Corrections Ombudsman is estimated to exceed \$297,536 (\$149,454 + \$86,682 + \$11,400 + \$50,000) in FY25-26 and \$286,136 (\$149,454 + \$86,682 + \$50,000) in FY26-27 and subsequent years.
- The Ombudsman can submit the required report within existing resources.

- The proposed legislation requires the DOC, a contractor, and all correctional employees to, at all times, cooperate with the Office and furnish to the Office its personnel information as may be necessary to enable the Office to perform its functions.
- DOC can comply with the requests of the Office within existing resources; therefore, the fiscal impact 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 "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Executive Director