

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1024 - SB 1099

March 13, 2023

SUMMARY OF BILL: Establishes a fine of \$10,000 for a state or local government entity or other political subdivision of this state to:

- Rename a memorial, including a public building named after a historic figure, entity, or event;
- Relocate, remove, alter, obscure from view, rename, dishonor, disparage, or reinterpret with competing signage, wording symbols, objects, or other types of means of communication a memorial; or
- Disturb a memorial located on public property or knowingly allow an individual or entity to do so.

Each day represents a separate violation and fine, until such government entity has taken restorative action.

Requires that moneys from such fine be collected by the Attorney General's Office (AG), forwarded to the State Treasurer, and deposited into a separate account within the General Fund, to be called the Tennessee Historic Preservation Fund (Fund), to be used exclusively for the preservation, repair, refurbishment, and conservation of memorials. In cases where the AG cannot promptly collect a fine pursuant to this act, it must file a suit to collect such fine. Requires the AG to seek all remedies at law to preserve memorials, and to restore memorials to their original name, location, and condition in coordination with the Tennessee Historical Commission (Commission).

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Based on information provided by the Tennessee Department of Environment and Conservation, this legislation will have no significant impact on the operations of the Commission.
- It is assumed that state and local government departments and agencies will, in general, comply with this new act to prevent being fined under this act.

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- Any increase in state revenue from fines under this act will be allocated to the Fund to be used for the preservation, repair, refurbishment, and conservation of memorials. However, any such increase is assumed to be not significant.
- This legislation will have no significant impact on the number of court cases handled by the AG.
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These expenditures and revenue are 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". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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