



March 10, 2023

SUMMARY OF BILL: Creates a Class E felony offense for a law enforcement officer, with the intent to obstruct justice, to turn off, disable, fail to turn on, or operate a law enforcement recording device, including a law enforcement body camera, in any manner that prevents the creation of evidence.

FISCAL IMPACT:

Increase State Expenditures – \$3,600 Incarceration

Assumptions:

- The proposed legislation will result in one admission for the Class E felony offense of tampering with evidence every three years.
- The average time served for a Class E felony offense is 0.59 years.
- Based on population data from the U.S. Census Bureau, population growth in Tennessee averaged 0.96 percent per year (from 2018 to 2021).
- The weighted average operational costs per inmate per day are estimated to be \$50.63 for inmates housed at state facilities and \$52.11 for inmates housed at local facilities.
- The estimated increase in incarceration costs is estimated to be the following over the next three-year period:

Increase in State Expenditures	
Amount	Fiscal Year
\$ 3,600	FY23-24
\$ 3,600	FY24-25
\$ 3,600	FY25-26

- Pursuant to Public Chapter 1007 of 2022, recurring costs increases are to be estimated on the highest of the next three fiscal years; therefore, the recurring increase in incarceration costs will be \$3,600.
- Based on the Fiscal Review Committee’s 2008 study and the Administrative Office of the Courts’ 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant. The proposed legislation will not significantly change state or local revenue.
- The estimated fiscal impact of the proposed legislation does not consider the availability of beds in state and local facilities, but is based solely on the current operating costs of

state facilities and the reimbursement rates for local facilities as is required by Tenn. Code Ann. § 9-4-210.

- All calculations used in completion of this fiscal note are available upon request.

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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