

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2032 - SB 2505**

February 17, 2018

**SUMMARY OF BILL:** Authorizes expungement for convictions of prostitution or aggravated prostitution if the conduct upon which the conviction is based was found to have occurred as a result of the person being a victim of human trafficking.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenue – \$200/TBI  
\$400/District Attorneys**

Assumptions:

- Since the expunction law was changed by Public Chapter 1103 of 2012, the number of expunctions filed each year has been drastically less than estimated. Approximately one percent of original projections have been realized.
- Statistics from the Administrative Office of the Courts show an average of 22.8 convictions per year for prostitution and 6.6 convictions per year for aggravated prostitution. These statistics represent convictions at the state court level.
- It is assumed that only 10 percent of misdemeanor convictions are at the state court level; therefore, there are an estimated 228 convictions (22.8 / 10%) per year for prostitution and 66 convictions (6.6 / 10%) per year for aggravated prostitution.
- Assuming every one of these admissions was eligible for expunction under this legislation and that approximately one percent will petition for expunction, it would result in approximately three petitions [(228 + 66) x 0.01] for expunction each year.
- Under Tenn. Code Ann. § 40-32-101(g)(10), the \$180 fee one pays for having records expunged is distributed as follows:
  - \$50 to TBI; and
  - \$130 to the District Attorneys Expunction Fund.
- The proposed legislation will result in a recurring increase in state revenue, as follows:
  - \$150 to TBI (\$50 x 3); and
  - \$390 to District Attorneys (\$130 x 3).

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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