

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 2845 - SB 2636**

March 12, 2024

**SUMMARY OF BILL AS AMENDED (015306):** Enacts the *Tennessee Prevention of Drunk Driving Act*. Establishes a twelve-member advisory task force to review impaired driving and boating in Tennessee whose members must be appointed by the Speaker of the Senate and the Speaker of the House of Representatives by September 1, 2024. Requires the task force to study current levels of impaired driving and ways to reduce impaired driving, repeat offenders, and underage offenders. Authorizes the task force to request and receive assistance from any department, agency, or entity of state government upon request from the chair. Requires the task force to acquire testimony from community members with relevant knowledge, and to submit a report of its findings and recommendations to the General Assembly and the Governor no later than December 1, 2025.

Requires law enforcement officers investigating a motor vehicle accident resulting in the death of a person, and having probable cause to believe that an operator of a motor vehicle involved in the accident was driving under the influence of alcohol, to investigate whether the operator was served alcoholic beverages at an establishment licensed to sell alcoholic beverages. Requires the Alcoholic Beverage Commission (ABC) to be notified of such investigation within 48 hours of the incident.

Requires the Alcoholic Beverage Commission (ABC) to submit a report to the General Assembly by February 15<sup>th</sup> of every odd numbered year. Requires state departments and agencies to assist ABC with the report. Requires ABC to distribute the report electronically to all members of the General Assembly and subjects the report to public distribution per request. Requires the Impaired Driving Advisory Council (IDAC) of the Tennessee Highway Safety Office to submit all reports, strategic plans, or recommendations to reduce impaired driving in Tennessee by December 1 each year to the members of the General Assembly.

Lowers, from five years to two years, the length of time a server permit is valid beginning January 1, 2025. Provides employee and server permits issued prior to January 1, 2025 will expire five years from their issuance date.

**FISCAL IMPACT OF BILL AS AMENDED:**

**Increase State Expenditures – \$17,000/FY24-25 and Subsequent Years**

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Assumptions for the bill as amended:

- It is assumed the task force will be comprised of General Assembly members and will not meet after submittal of the required report. Legislative members will not receive additional reimbursement for meetings held when the General Assembly is in session, but will receive per diem and reimbursement for mileage and lodging for meetings held outside of session.
- Therefore, the total increase in state expenditures in FY24-25 and subsequent years is estimated to be \$17,028 broken down as follows:

Legislative Member Reimbursement FY24-25				
	Members	Per Mtg Cost/Member	Reimbursed Meetings/Yr	
Mileage	12	\$160	3	\$5,760
Lodging	12	\$234	3	\$8,424
Per Diem	12	\$79	3	\$2,844
			Total:	<b>\$17,028</b>

- The proposed legislation requires ABC to publish an annual report containing statistics of violations issued by ABC, alcohol-related traffic crashes resulting in death, injury, and property loss, alcohol-related arrests for driving under the influence, alcohol and treatment recovery, alcohol-attributable deaths, and prevention programs and recommendations for underage alcohol consumption and other high-risk consumption occurring in Tennessee.
- According to ABC, data is currently collected from other state departments and agencies necessary to publish and distribute the report required by the proposed legislation.
- ABC will be able to publish and distribute the report utilizing existing resources.
- The proposed legislation will not significantly impact the operations of investigating law enforcement officers, ABC, or IDAC; therefore, any fiscal impact is estimated to be not significant.
- State and local law enforcement will be able to comply with the investigation requirements within existing resources without any significant increase in expenditures.
- Pursuant to Tenn. Code Ann. § 57-3-709, server permit fees are set by ABC. It is reasonably assumed that ABC will set fees for a two-year permit and renewals such that overall state revenue to ABC will not significantly change.

**CERTIFICATION:**

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



Krista Lee Carsner, Executive Director

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