

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 726 – SB 1092

March 3, 2023

SUMMARY OF BILL: Enacts the *Restoring State Sovereignty Through Nullification Act*. Creates rules, actions and guidelines for the state to declare and nullify a federal action as void and unenforceable under the authority of the Constitution of Tennessee.

Authorizes the Governor, any member of the General Assembly, any court operating under the Constitution of Tennessee, any combination of 10 counties and municipalities governing bodies, or a signed petition of registered voters to bring forth the proposal of a bill of nullification against a federal action.

Requires any voter signed petitions for a bill of nullification to have a minimum of 2,000 registered voter signatures, be compiled in batches coordinated by the county of voter registration of not less than 25 voters per county, and be submitted to the Speaker of the House of Representatives along with satisfactory proof that said signatures are valid before proceeding with a bill of nullification.

Declares the General Assembly as the sole authority to prescribe the crimes, penalties, fines, or other consequences of the violation of a bill of nullification and that such consequences must be specified in the bill before such a bill can be voted on for passage.

FISCAL IMPACT:

Other Fiscal Impact - The precise increase in local expenditures, if any, is dependent on the number of petitions filed and number of signatures on such petitions and cannot be reasonably determined.

Assumptions:

- Establishing guidelines for how the state can properly declare a state action of nullification of a federal action will not have a significant fiscal impact.
- The General Assembly, the Governor, courts, voters, and local governing bodies will be able to comply with the requirements of this legislation within existing resources; any impact to state government is not significant.
- It can be reasonably assumed that each county of voter registration will validate each signature upon any batched submissions. The need to verify a large number of signatures could increase local expenditures.

HB 726 – SB 1092

- The precise impact to local expenditures, if any, cannot be reasonably determined due to multiple unknown factors such as the number of signatures from each county that will need to be verified.
- Any future proposed legislation for nullification could have significant impacts on state and local revenue and expenditures as well as federal funding received by state and local governments. However, any such impact is directly attributable to future legislation deeming a federal action unconstitutional and is not a direct result of this legislation.

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

/lm