

HOUSE BILL 1379

By Johnson P

AN ACT to amend Tennessee Code Annotated, Title 40,
relative to the collection of fines, costs and
litigation taxes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-24-105, is amended by adding the following new subsection:

(e) If any fine, costs, or litigation taxes assessed against the defendant in a criminal case remain in default when the defendant is released from the sentence imposed, the sentence expires, or the criminal court otherwise loses jurisdiction over the defendant, the sentencing judge, clerk or district attorney general may have the amount remaining in default converted to a civil judgment in the manner set out in § 40-35-304(h). The judgment may be enforced as is provided in this section or in any other manner authorized by law for a civil judgment.

SECTION 2. Tennessee Code Annotated, Section 40-24-105, is amended by designating subsection (a) as (a)(1) and by adding the following new (a)(2):

(2)

(A) If the defendant in a criminal case is in default of any fine, costs, or litigation taxes assessed against the defendant, refuses to pay such fine, costs, or litigation taxes, or if the defendant elects to pursue an alternative method of payment, the trial court and the defendant may enter into an agreement whereby the defendant performs community service work in lieu of momentary payment of the amount of fine, costs, or litigation taxes on which the defendant is in default.

(B) The agreement shall include, but not be limited to, the type of public service to be performed by the defendant, the amount of the defendant's fine, costs, or litigation taxes assessment is discharged for each hour of public service work, and the consequences for failing to perform the public service work.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.