

HOUSE BILL 2099

By Cochran

AN ACT to amend Tennessee Code Annotated, Title 40,
relative to public safety.

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

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 3, is amended by adding
the following section:

40-3-106.

(a) This section takes effect in any county immediately upon:

(1) Approval by two-thirds (2/3) vote of the county legislative body; or

(2) If that county is imposing a fee to benefit the public defender's office
pursuant to § 40-14-210, written request and notice by the district attorney
general for that county's judicial district to the county executive or mayor and the
circuit court clerk of such county.

(b) It is the duty of the clerk of every court having jurisdiction of state
misdemeanors and felonies to include in every misdemeanor and felony cost bill, a
charge of twelve dollars and fifty cents (\$12.50) that must be remitted to the county
government, except in counties that are part of a multiple county judicial district as
defined in § 16-2-506, in which case this charge must be remitted to the office of the
executive director of the district attorneys general conference for the purpose of
providing supplemental funding for the office of the district attorney general within that
judicial district. It is the legislative intent of this subsection (b) that these funds do not
revert to the state general fund but must instead be carried forward for the purpose for
which they were originally intended.

(c) All costs collected by county governments pursuant to this section must be used for providing support services for the purpose of promoting public safety at the sole discretion of the district attorney general for that county's respective judicial district.

(d) A county may supplement the funds of the district attorney general system to promote public safety. The costs collected by the county under this section are supplemental and in addition to any funds received under this chapter or under title 8, chapter 7, relative to district attorneys general.

(e) This section does not apply to nonmoving traffic violations.

(f) In every misdemeanor and felony prosecution in which restitution is ordered or the privilege tax for the criminal injuries compensation fund established by § 40-24-107 is also levied, the cost imposed by this section does not have priority over collection of that restitution or privilege tax.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.