

HOUSE BILL 2912

By Baum

AN ACT to establish the Rutherford County Board of Juvenile Detention Center Commissioners to oversee and supervise the Rutherford County Juvenile Detention Center.

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

SECTION 1. This act shall be known and may be cited as the "Rutherford County Board of Juvenile Detention Center Commissioners Act of 2022".

SECTION 2. There is hereby established the Rutherford County Board of Juvenile Detention Center Commissioners, hereafter referred to as the "Board". The County Legislative Body shall elect four (4) competent persons, who, in conjunction with the County Mayor, shall comprise the members of the Board, of which the County Mayor shall be the ex officio, chair of the Board. The County Legislative Body may establish criteria regarding qualifications of the members of the Board to ensure that the Board is comprised of competent persons to oversee the Rutherford County Juvenile Detention Center.

SECTION 3. Two (2) commissioners shall serve an initial term of one (1) year and two (2) commissioners shall serve an initial term of two (2) years; and annually thereafter, the County Legislative Body shall elect two (2) commissioners for two-year terms. All vacancies must be filled by like election for the unexpired term of the commissioner whose vacancy is to be filled.

SECTION 4. Three (3) members of the Board shall constitute a quorum for the transaction of business.

SECTION 5. The commissioners shall take an oath to faithfully discharge and perform the duties of their office, which oath shall be filed with the County Clerk. The

County Clerk shall record the oath made on the minutes of the County Legislative Body.

The commissioners shall also appoint one (1) Board member as secretary.

SECTION 6. The Board shall have charge, supervision, and control of:

- (1) The juvenile detention center in all of its departments;
- (2) The juvenile inmates; and
- (3) The selection of a Director of the juvenile detention center.

The Board shall also regulate and control that department of the County's business generally.

SECTION 7. The Board shall:

- (1) Meet once each month, or more if necessary, for the transaction of business at the Rutherford County Juvenile Detention Center;
- (2) Keep, in a well-bound book to be furnished by the County, full and complete minutes of Board proceedings; and
- (3) Visit and inspect the juvenile detention center, as necessary.

SECTION 8. The Board is authorized to appoint or dismiss, with or without cause, the Director of the juvenile detention center. The salary of the Director is fixed by the Board, subject to the approval of the County Legislative Body.

SECTION 9. The Director shall name, select, manage, and discharge such other staff members, and prescribe their duties, authority, and responsibilities, as approved by the Board.

SECTION 10. It is the duty of the Director to:

- (1) Discharge each juvenile inmate as soon as they complete their time served in the juvenile detention center;
- (2) Ensure that juvenile inmates are properly guarded to prevent their escape;

(3) Ensure that juvenile inmates are kindly and humanely treated, and properly provided with clothing and wholesome food properly cooked and prepared for eating three (3) times each day;

(4) Ensure that juvenile inmates are warmly and comfortably housed at night and in bad weather;

(5) Ensure that juvenile inmates have proper medicine and medical treatment when sick;

(6) Ensure that juvenile inmates are provided educational and recreational activities in accordance with applicable law; and

(7) Ensure that male juvenile inmates are kept separate from female juvenile inmates.

SECTION 11. The Director shall also:

(1) Attend all Board meetings in the status of a non-voting advisor;

(2) Provide a monthly report to the Rutherford County Public Safety Committee; and

(3) Provide the Board with quarterly reports of all detention center operations, including, but not limited to, the amount of the work done and its estimated value; the amount of monies expended for supplies, tools, and implements; and any other matter deemed necessary by the Director or ordered by the Board or the County Legislative Body.

SECTION 12. The Director is authorized, with the approval of the Board and County Legislative Body, to contract jointly with federal, state, county, and municipal agencies to accept juvenile inmates in the custody of such other governmental agencies, as authorized under Tennessee Code Annotated, Section 37-1-116. Any funds so collected pursuant to a joint contract must be paid to the County's general fund.

SECTION 13. The Director shall establish rules and regulations for the orderly operation of the juvenile detention center. The rules and regulations must be approved by the Board.

SECTION 14. The commissioners of the Board may each receive such compensation as may be fixed by the County Legislative Body.

SECTION 15. All purchases of equipment, material, and supplies must be made in accordance with the Rutherford County Purchasing Act and Rutherford County's purchasing policies and procedures, as amended.

SECTION 16. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to that end, this Act is declared to be severable.

SECTION 17. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Rutherford County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 18. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 17.