

SENATE BILL 1314

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 51, relative to funding for public safety operations.

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

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 51, is amended by adding the following as a new part:

7-51-2201.

Each municipality, county, or metropolitan government, may impose a public safety surcharge for purposes of providing public safety services, including, but not limited to, fire protection and emergency communication services, within its boundaries.

7-51-2202.

The surcharge authorized to be imposed by § 7-51-2201 does not take effect until an ordinance or resolution imposing the surcharge is approved by an affirmative vote of a majority of the governing body of the municipal, county, or metropolitan government. The ordinance or resolution must designate the service area subject to the surcharge and include the proposed use of the funds collected from the surcharge and the amount of the surcharge. The resolution or ordinance must also include a statement that the individuals residing within the designated service area must be assessed the surcharge and specify the process by which delinquent surcharge fees will be collected.

7-51-2203.

The surcharge amount must be reviewed by the governing body on an annual basis. Any increase in the surcharge must also be approved by an affirmative vote of a majority of the governing body.

7-51-2204.

Funds generated from such surcharge must be segregated from the general fund and must be used only for the purposes for which they were collected. Additionally, the amount of the surcharge imposed must bear a reasonable relationship to either the cost of providing public safety services or the amount of any required local contribution associated with the provision of public safety services.

7-51-2205.

In the event a municipality or county is a party to an interlocal agreement that provides for the contributions to be made by the local government for purposes of funding the local emergency communications district, and the agreement has expired, and the parties to the agreement are unable to negotiate new terms that are satisfactory to both parties, either party may request mediation through the office of the comptroller of the treasury.

7-51-2206.

Subject to any other requirement of this chapter or other law, a municipality, county, or metropolitan government may enter into an agreement with an electric, water, or sewer utility to collect the public safety surcharge as a part of the utility's billing process. The agreement must be approved by the governing body of the municipality, county, or metropolitan government entering into the agreement. Upon approval of the agreement, each customer of the utility within the designated service area shall pay the surcharge to the utility.

7-51-2207.

Revenues collected pursuant to the surcharge authorized by this part are revenue from local sources for the purpose of any applicable maintenance of effort requirement.

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