

SENATE BILL 2653

By Yager

AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 6, Part 1; Title 40, Chapter 15; Title 40, Chapter 32 and Title 40, Chapter 35, Part 3, relative to diversion.

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

SECTION 1. Tennessee Code Annotated, Section 38-6-118(e), is amended by redesignating the current language as subdivision (e)(1) and adding the following language as a new subdivision (e)(2):

(2) The defendant may request to have the fee required by this subsection (e) waived due to indigency. Upon such request, the court must determine whether the defendant is indigent and, if so, waive the fee. If the court determines that the defendant is not indigent, but that paying the required fee would be a hardship for the defendant, the court may order the fee assessed after the plea in addition to any court costs to be paid in monthly installments for twelve (12) consecutive months.

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