

PUBLIC CHAPTER NO. 586**SENATE BILL NO. 1881**

**By Burchett, Ketron, Crowe, Watson, Tracy, Beavers, Burks, Johnson, Raymond
Finney, Marrero**

Substituted for: House Bill No. 1141

By Buck, Winningham, Gresham

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40.

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

SECTION 1. Tennessee Code Annotated, Section 40-33-211, is amended by adding the following new subsection (h):

(h) (1) Notwithstanding the provisions of this section, the proceeds from all forfeitures of conveyances or real or personal property used in the commission of an offense under Title 39, Chapter 13, Part 5, shall be transmitted to the general fund where there is hereby established a general fund reserve to be allocated through the general appropriations act, which shall be known as the Child Abuse Fund. Moneys from the fund shall be expended to fund activities authorized by § 39-13-530. Any revenues deposited in this reserve shall remain in the reserve until expended for purposes consistent with this section, and shall not revert to the general fund on any June 30. Any excess revenues or interest earned by such revenues shall not revert on any June 30, but shall remain available for appropriation in subsequent fiscal years. Any appropriation from such reserve shall not revert to the general fund on any June 30, but shall remain available for expenditure in subsequent fiscal years.

(2) The general assembly shall appropriate, through the general appropriations act, moneys from the Child Abuse Fund to the Department of Finance and Administration for the Child Abuse Fund. Such appropriations shall be specifically earmarked for the purposes set out in § 39-13-530.

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 7, Part 1, is amended by adding a new section thereto, as follows:

Section 40-7-122. In addition to any other fees the sheriff is entitled to demand and receive in accordance with § 8-21-901, a county legislative body may vote to impose an additional fee of not more than ten dollars (\$10.00) for the booking and processing of each person subject to arrest or summons; such fee shall be collected at the same time and in the same manner as other fees are collected by a sheriff in accordance with title 8, chapter 21, part 9. No such fee shall be charged to any person determined by the court to be indigent.

SECTION 3. Tennessee Code Annotated, Section 39-17-1315, is amended by deleting the language "full-time employee of the Tennessee Emergency Management Agency in the performance of the employee's duty," and by substituting instead the following language:

full-time employee of the Tennessee emergency management agency in the performance of the employee's duty, any duly authorized representative or full time employee of the board of probation and parole who has been specifically designated by the board to execute warrants issued pursuant to § 40-28-121 or § 40-35-311 or to perform such other duties as specifically designated by the board,

SECTION 4. Tennessee Code Annotated, Section 39-17-1703, is amended by deleting subsection (a)(1) and substituting instead the following:

(1) County having a population of not than less eight hundred ninety-seven thousand four hundred (897,400) nor more than eight hundred ninety-seven thousand five hundred (897,500) according to the 2000 federal census or any subsequent federal census; or

(2) County having a population of not less than twenty-eight thousand one hundred (28,100) nor more than twenty-eight thousand two hundred (28,200) according to the 2000 federal census or any subsequent federal census; or

(3) Municipality in any county referenced in subdivision (a)(1) or (a)(2).

SECTION 5. 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 which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 11, 2007



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 28th day of June 2007



PHIL BREDESEN, GOVERNOR