

State of Tennessee
PUBLIC CHAPTER NO. 1026

HOUSE BILL NO. 3839

By Representatives Sargent, McCormick

Substituted for: Senate Bill No. 3771

By Senator Norris

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71, relative to statutory revisions required for implementation of the annual appropriations act.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-161(a), is amended by deleting paragraph (a) in its entirety and inserting in lieu thereof the following:

(a) There is hereby established a reimbursement account, which shall be comprised of such amount of federal funds as are set aside by the commission on children and youth from the state's allocation under the Juvenile Justice and Delinquency Prevention Act formula grant funds and of state funds, if funds for such purpose are appropriated in the general appropriations act. The reimbursement account shall be used to provide financial assistance to counties for removing children from adult jails.

SECTION 2. Tennessee Code Annotated, Section 37-1-162, is amended by deleting it in its entirety and substituting in lieu thereof the following:

(a) A supplement shall be provided by the state each year to counties for the improvement of juvenile court services. Such supplements shall be administered by the department of children's services and distributed by the department to participating counties. Where more than one (1) court exercises juvenile court jurisdiction within a single county, each court shall receive an equitable share of the county's allocation, as determined by percentage of juvenile court intakes or some other appropriate measure. Each court accepting such funds shall employ a youth services officer to be appointed and supervised by the court.

(b) The department shall establish policies regarding application and reporting procedures, adequate minimum educational requirements for youth services officers, and permissible uses of funds received under this section, including, but not limited to, requirements that such funds shall not be used to supplant funds formerly used by counties for juvenile court services, to pay salaries or personal expenses of juvenile court judges, or to construct or remodel jails or other facilities used for the detention or housing of adults alleged to have committed or been convicted of criminal offenses.

SECTION 3. Tennessee Code Annotated, Section 4-6-110, is amended by:

(a) deleting the following language:

mental health facilities, the James M. Taft Youth Center, the Spencer Youth Center, the Tennessee Vocational School for Girls, the state penitentiary, and the Brushy Mountain state penitentiary

and by substituting instead the language "state prisons";

(b) deleting the language "patients or"; and

(c) adding the following sentence at the end of the section:

Such appointment may be by employment in the department or by contract for services.

SECTION 4. Tennessee Code Annotated, Section 67-6-103(a)(1), is amended by deleting the language "Twenty-nine and two hundred forty-six ten-thousandths percent (29.0246%)" and by substituting instead the language "Twenty-nine and one hundred forty-one ten-thousandths percent (29.0141%)".

SECTION 5. Tennessee Code Annotated, Section 67-6-103(a)(3), is amended by deleting the language "Four and five thousand nine hundred twenty-five ten-thousandths percent (4.5925%)" each place that it appears and by substituting instead the language "Four and six thousand thirty ten-thousandths percent (4.6030%)" in each place.

SECTION 6. Tennessee Code Annotated, Section 9-4-5106, is amended by inserting the following as a new paragraph (b):

(b) The capital budget, to be included in part 3 of the budget document, shall contain funding for all capital outlay. Funding for all capital improvement projects of whatever amount and funding for each capital maintenance project of one million dollars (\$1,000,000) or more shall be specified by project, by affected spending agency, and by funding sources, including state current funds, bonds, and other revenue. Funding for each capital maintenance project of less than one million dollars (\$1,000,000) shall be specified in such detail in the budget document as the Governor shall determine.

SECTION 7. Tennessee Code Annotated, Section 9-4-5108, is amended by deleting paragraph (b) in its entirety and inserting the following new paragraph (b):

(b) Appropriations for capital improvement and capital maintenance projects shall be specified by state agency in lump sums consistent with capital improvement and maintenance projects detailed in the budget document.

SECTION 8. Tennessee Code Annotated, Section 4-3-4903(c), is further amended by designating the existing language as subdivision (1), and by adding the following, to be designated as subdivision (2):

(2) The amount of each grant awarded pursuant to this section shall not exceed twenty-five percent (25%) of the total expenses incurred by a production company for a project; except, however, the department may award grants in excess of this amount if deemed appropriate by the department. It is the legislative intent that funding be appropriated each year in the general appropriations act for awarding grants. It is further the legislative intent that the department strive to award the maximum amount of incentive grants authorized by this section due to the amendments to § 67-4-2109(j) provided in this act.

SECTION 9. Tennessee Code Annotated, Section 4-3-4903(i), is amended by deleting the language " is authorized to" and by substituting instead the language "shall".

SECTION 10. Tennessee Code Annotated, Section 67-4-2109(j), is amended by adding the following language as new subdivision (6):

(6) The credit provided for in this subsection (j) shall not apply to tax years beginning on or after July 1, 2012; provided that this subdivision (j)(6) shall have no effect on the right of any taxpayer to realize the benefits of any credit provided under subsection (j) in the event that the commissioner of revenue and the commissioner of economic and community development determine that the taxpayer's production is in the "best interest of this state" pursuant to § 67-4-2109(j)(1)(A) and the taxpayer incurs expenses related to such production prior to July 1, 2012.

SECTION 11. This act shall take effect on July 1, 2012, the public welfare requiring it.

HOUSE BILL NO. 3839

PASSED: APRIL 30, 2012

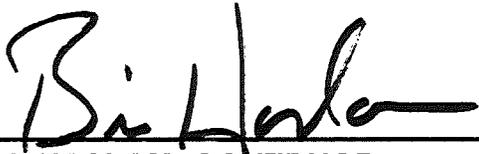


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 15th day of May 2012



BILL HASLAM, GOVERNOR