

HOUSE BILL 740

By Howell

AN ACT to amend Tennessee Code Annotated, Section 8-21-401 and Title 16, Chapter 22, relative to drug court treatment programs.

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

SECTION 1. Tennessee Code Annotated, Section 16-22-114, is amended by deleting the section in its entirety and substituting instead the following:

(a) In addition to courts exercising criminal jurisdiction and authorized to serve as drug treatment courts, courts exercising jurisdiction over juveniles alleged to be delinquent or unruly may also develop and operate drug court treatment programs, subject to all guidelines and requirements in this chapter.

(b) The juvenile drug court treatment programs shall not be funded or supported by revenues collected pursuant to § 16-22-109.

(c)

(1) The clerk of the juvenile court shall charge a fee of seventy-five dollars (\$75.00) in any action when a juvenile is adjudicated delinquent by virtue of a delinquent act, as defined in § 37-1-102, involving drugs or alcohol, including any act that would be an offense under the Tennessee Drug Control Act of 1989, compiled in title 39, chapter 17, part 4, if committed by an adult.

(2) The fee shall be subject to § 8-21-401 and shall be in addition to all other taxes, costs, and fines.

(3) The fee shall be deposited by the clerk into a dedicated county fund. The fund shall not revert to the county general fund at the end of the fiscal year, but shall remain for the purposes set out in this section. The money shall be

used by the county exclusively for the creation, administration, operation, and maintenance of juvenile drug court treatment programs.

(4) If no juvenile drug court treatment program operates in the county, then the funds from that dedicated county fund shall be remitted annually in full to the state to be placed in the drug court treatment program resources fund to be administered by the department of finance and administration, office of the criminal justice programs, in accordance with § 16-22-110.

(5) The comptroller's regular audit of a local government shall also include the dedicated county fund established by this section.

SECTION 2. Tennessee Code Annotated, Section 16-22-109, is amended by deleting the language "seventy-five dollars (\$75.00)" wherever it appears and substituting instead the language "one hundred dollars (\$100)" and is further amended by inserting the following language immediately after the second sentence in subsection (d):

The next twenty-five dollars (\$25.00) of the assessment shall be deposited into a dedicated county fund for juvenile drug court treatment programs in accordance with § 16-22-114.

SECTION 3. This act shall take effect July 1, 2015, the public welfare requiring it.