

HOUSE BILL 1406

By Gant

AN ACT to amend Chapter 116 of the Private Acts of 2000; and any other acts amendatory thereto, relative to Fayette County.

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

SECTION 1. Chapter 116 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting Section 3 and substituting:

SECTION 3. Such special wheel or privilege tax shall be collected by the county clerk of Fayette County at the same time the clerk collects the state privilege tax for the operation of motor driven vehicles. The county clerk of Fayette County shall not issue to any resident of the county a state license for the operation of a motor driven vehicle unless at the same time such resident shall also purchase the appropriate license as herein provided for the operation of the resident's motor driven vehicle under this act. The payment of the license fee herein provided shall be evidenced by an emblem, sticker, or receipt in the form of a decal to be appropriately displayed by affixing the same on the state license plate of such motor driven vehicle. The design of the emblem, sticker, or decal shall be determined by the county commission and the expense incident thereto shall be paid from the county general funds.

The special wheel or privilege tax shall entitle the owner of a motor driven vehicle to operate the same concurrent with the state license motor vehicle privileges, and the same proportionate reduction shall be made as is now made in the case of state registration of motor driven vehicles when such motor driven vehicles are registered. The county clerk for the services in issuing such licenses, shall be entitled to a fee of one dollar (\$1.00) for each license so issued, to be collected from the person purchasing the same, and the clerk's fee shall be in addition to the tax hereinabove provided for.

Provided further, any motor driven vehicle upon which a current license fee has been paid, should such motor driven vehicle be sold, traded, demolished, destroyed, or otherwise change ownership, the current license holder may obtain from the county clerk a current replacement emblem, sticker, or decal, upon the payment of a fee of one dollar (\$1.00) and the county clerk shall be entitled to such fee for the issuance of the replacement license.

The county clerk shall report all funds collected monthly and pay the same over to the trustee of Fayette County and such funds shall be applied as follows. Such special wheel or privilege tax, when collected in the hands of the county trustee, shall be allocated in the following manner:

One hundred percent (100%) of the amount so collected, excluding clerk's fees, shall be initially placed in the county general fund and may be used for any authorized general fund use or may be transferred to the county capital projects fund and used to pay capital costs for school construction and other county facilities or transferred to the county debt service fund and used to pay principal and interest on debt issues for school construction and other county facilities, all as determined each year during the county's annual budget process.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Fayette County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.