

SENATE BILL 1117

By Lamar

AN ACT to amend Tennessee Code Annotated, Title 16 and Title 18, relative to reports related to the operation of courts.

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

SECTION 1. Tennessee Code Annotated, Title 18, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) The clerk of each court exercising criminal jurisdiction shall compile a monthly report of all fines and fees assessed by the court in the previous month. The clerk shall submit the report to the administrative office of the courts on or before the fifteenth day of each month for the period covering the preceding calendar month.

(b) The report submitted pursuant to subsection (a) must include:

- (1) The court that assessed the fines and fees;
- (2) The case number;
- (3) The date the fines and fees were assessed;
- (4) The amount of the assessment;
- (5) Whether the assessment is a fine or fee, or both;
- (6) The code citation for the principal crime for which the defendant was convicted or found in violation;
- (7) The due date for an assessment that does not have a payment plan;
- (8) Whether the assessment, at the time of conviction, included a payment plan;
- (9) The total length of the payment plan in months, if a payment plan is included;

- (10) Whether the assessment has been paid in full;
- (11) Whether the assessment has a remaining balance that is not due;
- (12) Whether the assessment has a past due balance and by how many days;
- (13) The amount of the interest or penalty for failure to pay as due;
- (14) Whether the initial assessment has been reduced, restructured, or forgiven completely; and
- (15) The demographic information of the defendant, including indigent status.

(c) As used in this section:

(1) "Fee":

(A) Means financial obligations assessed by a court exercising criminal jurisdiction; and

(B) Includes court costs and other charges used to fund the criminal justice system and other government services; and

(2) "Fine":

(A) Means punitive financial sanctions assessed by a court exercising criminal jurisdiction; and

(B) Includes:

(i) Financial penalties for traffic and other code violations, misdemeanors, and felonies; and

(ii) Financial obligations assessed as condition of probation or parole.

SECTION 2. Tennessee Code Annotated, Title 16, Chapter 3, Part 8, is amended by adding the following as a new section:

(a) The administrative office of the courts shall create and maintain a statewide database and searchable public website that compiles the reports received by the office pursuant to SECTION 1.

(b) The administrative director shall provide a summary of the reports received pursuant to SECTION 1 within thirty (30) days of the end of each fiscal year to the governor, the speaker of the senate, the speaker of the house of representatives, and the attorney general and reporter.

(c) The administrative director may include in the summary submitted pursuant to subsection (b) recommendations to improve statutes, rules, and policies to better ensure the imposition, collection, and expenditure of criminal fines and fees are reported and done in a manner that is fair to citizens, particularly those who are economically disadvantaged and most vulnerable to excessive fines and fees.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.