

SENATE BILL 2549

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 33 and Title 55, Chapter 10, Part 4,
relative to forfeiture.

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

SECTION 1. Tennessee Code Annotated, Section 40-33-211(f)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(1) The revenue shall be retained by the entity, either the state or local government, which was responsible for the seizure; provided that, if the entity responsible for conducting the forfeiture hearing is a state governmental entity but a local governmental entity is responsible for the confiscation, towing, storage or sale of the forfeited vehicle, then fifty percent (50%) of the revenue shall be retained by the state governmental entity and fifty percent (50%) of the revenue shall be retained by the local governmental entity. The revenue shall be used during each fiscal year to compensate the entity for reasonable and direct expenses involved in the confiscation, towing, storage, and sale of the forfeited vehicles. All expenses claimed by the entity shall be subject to audit and review by the comptroller of the treasury for the purpose of determining that expenses claimed by the entity are direct and reasonable;

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.