

SENATE BILL 2900

By McNally

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10, Part 4, relative to the blood alcohol or drug concentration test fee.

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

SECTION 1. Tennessee Code Annotated, Section 55-10-419(a), is amended by deleting subdivision (1) in its entirety and substituting instead the following:

(1) In addition to all other fines, fees, costs and punishments now prescribed by law, including the fee imposed pursuant to § 55-10-403(h), a blood alcohol or drug concentration test (BADT) fee in the amount of two hundred and fifty dollars (\$250) shall be assessed upon a conviction for a violation of § 39-13-106, § 39-13-213(a)(2), § 39-13-218, § 39-17-418, § 55-10-205 or § 55-10-401, for each offender who has taken a breath-alcohol test on an evidential breath testing unit provided, maintained and administered by a law enforcement agency for the purpose of determining the alcohol or drug content of the blood.

SECTION 2. Tennessee Code Annotated, Section 55-10-419(c), is amended by deleting subdivision (2) in its entirety and substituting instead the following:

(2) Moneys in the TBI toxicology unit intoxicant testing fund and available federal funds, to the extent permitted by federal law and regulation, shall be used to fund a forensic scientist position in each of the three (3) bureau crime laboratories, to employ forensic scientists to fill these positions, and to purchase, maintain and upgrade the equipment and supplies necessary to examine and analyze, in a timely manner, the increased number of requests for determinations of alcohol concentration, the presence of narcotic or other drugs, or for both alcohol and

drugs, in submitted blood samples resulting from permitting the testing for both alcohol and drugs of drivers of motor vehicles suspected to be operating in violation of §55-10-401. To the extent that additional funds are available, these funds shall be used to employ personnel, purchase equipment and supplies, pay for the education, training and scientific development of employees, or for any other purpose so as to allow the bureau to analyze and return the results of testing done on submitted blood samples in a more efficient and expeditious manner.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.