

SENATE BILL 2355
By Fowler

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10, Part 4, relative to fees for persons convicted of driving under the influence or driving while impaired.

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

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by adding a new, appropriately designated subsection as follows:

() Notwithstanding any other law to the contrary, in any county having a population of not less than three hundred seven thousand eight hundred (307,800) nor more than three hundred seven thousand nine hundred (307,900), according to the 2000 federal census or any subsequent federal census, upon conviction for a violation of §55-10-401, §55-10-415, §55-10-418 or §55-50-408, the court shall assess against the defendant a blood alcohol concentration (BAT) test fee in an amount equal to any costs for obtaining a blood sample for the purpose of performing a test to determine the alcoholic or drug content of the defendant's blood pursuant to §55-10-406 that are incurred by the governmental entity over the law enforcement agency arresting the defendant. Such costs are limited to fees or costs paid by the governmental entity to persons other than such entity's employees and may be proven by affidavit of an official

of the governmental entity. Such fee shall be collected by the clerks of various courts and shall be in addition to all other fines, fees, costs and punishments now prescribed by law. The clerks of the various courts shall forward such fees to such governmental entities on a monthly basis.

SECTION 2. This act shall take effect July 1, 2002, the public welfare requiring it.