

HOUSE JOINT RESOLUTION 75

By Stewart

A RESOLUTION to propose an amendment to Article VI, Section 14, of the Constitution of the State of Tennessee relative to fines.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that a majority of all the members of each house concurring shown by the yeas and nays entered on their journals, that it is proposed that Article VI, Section 14, of the Constitution of the State of Tennessee be amended by deleting Article VI, Section 14, which was first enacted in 1796 and which reads:

No fine shall be laid on any citizen of this state that shall exceed fifty dollars (\$50.00), unless it shall be assessed by a jury of his peers, who shall assess the fine at the time they find the fact, if they think the fine should be more than fifty dollars (\$50.00).

and by substituting instead the following:

To protect the rights of citizens from excessive fines imposed without the right to a jury trial; to promote public health and safety; and to ensure that state and local laws can be enforced, the General Assembly shall establish the maximum fine that may be assessed without a jury; provided, however, that such maximum fine shall not exceed five hundred dollars (\$500.00). Such limit shall not apply when the right to a jury trial has been voluntarily waived.

BE IT FURTHER RESOLVED, that the foregoing amendment be referred to the One Hundred Seventh General Assembly and that this resolution proposing such amendment be published by the Secretary of State in accordance with Article XI, Section 3, of the Constitution of the State of Tennessee.

BE IT FURTHER RESOLVED, that the Clerk of the House of Representatives is directed to deliver a copy of this resolution to the Secretary of State.