

HOUSE BILL 83

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 36,
relative to orders of protection.

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

SECTION 1. Tennessee Code Annotated, Section 36-3-617, is amended by deleting subsection (a) in its entirety and by substituting instead the following language:

(a) Notwithstanding any other law to the contrary, the petitioner shall not be required to pay any filing fees, litigation taxes or any other costs associated with the filing, issuance, service or enforcement of an order of protection authorized by this part upon the filing of the petition. The judge shall assess court costs and litigation taxes at the hearing of the petition or upon dismissal of the petition. If the court, after the hearing, issues or extends an order of protection, then the petitioner's court costs and attorney fees shall be assessed against the respondent. If the court, after the hearing, dismisses the petition, then the respondent's court costs and attorney fees shall be assessed against the petitioner.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.