

HOUSE BILL 3604

By Sargent

AN ACT to amend Tennessee Code Annotated, Section 40-1-111 and Title 67, Chapter 4, Part 6, relative to judicial commissioners.

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

SECTION 1. Tennessee Code Annotated, Section 40-1-111(f), is amended by adding the following language as new subdivision:

(7) Subject to appropriation, funds from the judicial commissioner continuing education account, created in § 67-4-602(k), shall be used by the judicial commissioners association of Tennessee for the development and presentation of continuing education programs, courses and conferences for judicial commissioners in this state.

SECTION 2. Tennessee Code Annotated, Section 67-4-602, is amended by deleting subsection (k) and by substituting instead the following:

(k)

(1) In addition to any other tax imposed by this chapter, there is levied a privilege tax on litigation of two dollars (\$2.00) on all criminal charges, upon conviction or by order, instituted in the general sessions court in any county.

(2)

(A) There is created a special account in the state treasury to be known as the judicial commissioner continuing education account, referred to as the judicial commissioner fund in this subsection (k).

(B) Notwithstanding the apportionment of revenue formula in § 67-4-606, there shall be deposited in the judicial commissioner fund proceeds from the two-dollar privilege tax on litigation imposed by subdivision (k)(1).

(3) Moneys in the judicial commissioner fund may be invested by the state treasurer in accordance with § 9-4-603.

(4) Notwithstanding any law to the contrary, interest accruing on investments and deposits of the judicial commissioner fund shall be credited to the fund, shall not revert to the general fund and shall be carried forward into the subsequent fiscal year.

(5) Any balance remaining unexpended at the end of a fiscal year in the judicial commissioner fund shall not revert to the general fund but shall be carried forward into the subsequent fiscal year.

(6) Moneys in the judicial commissioner fund may be expended only in accordance with annual appropriations approved by the general assembly for the purposes described in § 40-1-111(f)(7).

(l) Every person from whom the clerks of the various courts are required to collect the tax imposed by this section shall be liable for the tax imposed by this section.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.