

SENATE BILL 2769

By Barnes

AN ACT to amend Tennessee Code Annotated, Title 20
and Title 40, relative to monies owed to courts.

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

SECTION 1. Tennessee Code Annotated, Section 40-24-105(a), is amended by deleting the subsection in its entirety and substituting instead the following:

Unless discharged by payment or service of imprisonment in default of a fine, a fine may be collected in the same manner as a civil debt or a judgment in a civil action. The trial court may also enforce all orders assessing any fine remaining in default by contempt upon a finding by the court that the defendant has the present ability to pay the fine and willfully refuses to pay. Costs and litigation taxes due may be collected in the same manner as a civil debt or as a judgment in a civil action, but shall not be deemed part of the penalty, and no person shall be imprisoned under this section in default of payment of costs or litigation taxes. The following shall be the allocation formula for moneys paid into court: the first moneys paid in any case shall first be credited toward payment of litigation taxes and once litigation taxes have been paid; the next moneys shall be credited toward payment of costs; then additional moneys shall be credited toward payment of the fine.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.