

SENATE BILL 3443

By Faulk

AN ACT to amend Tennessee Code Annotated, Title 16,
Chapter 18 and Title 39, Chapter 14, Part 5,
relative to littering.

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

SECTION 1. Tennessee Code Annotated, Section 39-14-503, is amended by:

adding the following language as a new subsection (e):

(e) Notwithstanding any law to the contrary, a municipal court may exercise jurisdiction over a violation of this section if the municipality has adopted this section, or a substantially similar ordinance that incorporates by cross-reference this section. Proceeds from fines imposed and collected under this subsection (e) shall be deposited in the general fund of the municipality where the offense occurred and designated for municipal operating costs with preference given to litter prevention and educational programs such as those conducted by Keep America Beautiful.

SECTION 2. Tennessee Code Annotated, Section 16-18-311, is amended by adding the following language as a new subsection (d) and by redesignating subsequent subsections accordingly:

(d) Notwithstanding any law to the contrary, a municipal court shall have jurisdiction to enforce a municipal law or ordinance that mirrors, substantially duplicates or incorporates by cross-reference the language of § 39-14-503. In addition to any other penalties authorized under the law, a municipal judge may impose the nonmonetary penalties provided by § 39-14-503. This authority includes requiring a person convicted under the municipal ordinance to remove litter from the state or local highway system, public playgrounds, public parks or other appropriate public locations for not more than forty (40) hours. The court, in its discretion, may also require a person convicted under

the municipal ordinance to work in a recycling center or other appropriate location for any stated period of time not to exceed eight (8) hours.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.