

**Amendment No. 5 to HB0854**

**Ragan  
Signature of Sponsor**

**AMEND Senate Bill No. 711\***

**House Bill No. 854**

by deleting SECTION 9 and SECTION 10 in their entirety and substituting instead the following:

SECTION 9. Tennessee Code Annotated, Section 16-22-109, is amended by deleting the language “seventy-five dollars (\$75.00)” in subsections (a) and (c) and substituting instead the language “seventy-five dollars (\$75.00), or in counties establishing or operating a veterans treatment court in accordance with Section 6, one hundred thirty dollars (\$130).”.

SECTION 10. Tennessee Code Annotated, Section 16-22-109, is further amended by deleting the language “This assessment” in subsection (d) and substituting instead the language “Except as provided in subsection (e), this assessment”; and is further amended by adding the following as a new subsection (e) and redesignating the existing subsections accordingly:

(e) For counties establishing or operating a veterans treatment court program in accordance with Section 6:

(1) This assessment shall be subject to § 8-21-401 and shall be in addition to all other taxes, costs, and fines;

(2) The first ten dollars (\$10.00) of each such assessment shall be paid to the clerks of the court imposing the assessment, who shall transfer it to the state treasurer, who shall credit it to the general fund and earmark it for use by the department of mental health and substance abuse services for funding drug court treatment program and veterans treatment court program administration;

(3) The revenue generated by seventy dollars (\$70.00) of each such assessment shall be deposited by the clerk of the collecting court into a dedicated county fund and used by the county exclusively for the creation and maintenance of state drug court treatment programs as defined in § 16-22-104;

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provided, that this fund shall not revert to the county general fund at the end of the fiscal year, but shall remain for the purposes set out in this subdivision (e)(3). In the event no drug court treatment program operates in a county, the remainder of the funds from that county shall be remitted annually in full to the state to be placed in the drug court treatment program resources fund to be administered by the department of mental health and substance abuse services, in accordance with § 16-22-110;

(4) The remaining fifty dollars (\$50.00) of each such assessment shall be deposited by the clerk of the collecting court into a dedicated county fund and used by the county exclusively for the operation and maintenance of veterans treatment court programs in the county; provided, that this fund shall not revert to the county general fund at the end of the fiscal year, but shall remain for the purposes set out in this subdivision (e)(4). In the event no veterans treatment court program operates in a county, the remainder of the funds from that county shall be remitted annually in full to the state, deposited in a separate account in the general fund, and designated for the exclusive use of the department of mental health and substance abuse services to assist existing veterans treatment court programs and to create and establish veterans treatment court programs in areas of this state that have a significant veteran population involved in the criminal justice system. The department is not required to distribute money to any county that operates or establishes a veterans treatment court program that does not operate according to the ten (10) key components or, for which

program, the judge or other court professionals have not completed nationally recognized training and state certification as established by the department;

(5) The comptroller's regular audit of a local government shall also include the dedicated county funds established by this section; and

(6) As used in this subsection (e), "veterans treatment court program" has the same meaning as defined in chapter 6 of this title.