

Filed for intro on 02/02/95
House Bill _____
By

Senate No. SB1435
By Gilbert

AN ACT to enact the Local Government Victim Advocacy Act for counties having a charter form of government and a population of not less than 300,000 nor more than 400,000, according to the 1990 federal census or any subsequent federal census.

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

SECTION 1. This act shall be known and may be cited as the "Local Government Victim Advocacy Act".

The provisions of this act shall apply only to counties having a charter form of government and having a population of not less than 300,000 nor more than 400,000, according to the 1990 federal census or any subsequent federal census.

SECTION 2. The legislative body of any county may by ordinance, enacted by two-thirds (2/3) vote of such body, establish an office of victim advocacy for providing assistance to the victims of crime and their immediate family as provided by the provisions of this act and impose a fee to fund such assistance as provided in Section 3 of this act.

SECTION 3. The legislative body may by ordinance adopt a victim advocacy fee of not more than two dollars and fifty cents (\$2.50) to be collected for

each criminal and traffic warrant issued by the Courts of General Sessions and the Criminal Courts in such county. Such fee may also be collected on the traffic warrants issued for violations of state traffic laws by the city court of any municipality within such county. Such fees shall be collected by the clerks of the respective courts and deposited in the victim's advocacy fund to be established by the trustee. Such fees shall be exempt from any commission authorized by law for clerks and trustees.

SECTION 4. The county legislative body shall appropriate the revenues collected from such fees solely for the purpose of aiding and assisting victims of crime and the immediate families of such victims including, but not limited to, the payment of parking expenses of such victims when meeting by appointment with the appropriate law enforcement officers or attending court proceedings related to their victimization, the operational expenses of an office of victim advocacy, and such other purposes as the legislative body shall provide in its ordinance.

The county legislative body may appropriate nonallocated county revenues for a portion of the costs of this program.

The employees of the office of victim advocacy shall be employed in accordance with the provisions of the ordinance.

SECTION 5. The funds appropriated for the purposes of this act shall be administered by the office of victim advocacy in accordance with the policies adopted by the advisory board of victim advocacy. The board shall be composed of five (5) members. One (1) member shall be appointed by the District Attorney General for such county, one (1) by the sheriff, one (1) by the clerk of the courts of general session, one (1) by the clerk of criminal court, and one (1) by the county executive. At least one (1) of the members shall be a member of a bona fide victim's rights advocacy group, including but not limited to Mothers Against Drunk Drivers (MADD), RID, East Tennessee Victim's Rights Task Force, The Sexual

Assault Crisis Center or similar victims advocacy programs. Each member shall be a resident of the county. No member shall hold any elected or appointed county office or elected or appointed office in any municipality in such county. The term of each member shall be three (3) years. The initial terms of the members shall begin on the first day of the first month of the fiscal year following the enactment of the ordinance. The county legislative body in its ordinance may provide additional requirements for such members, not inconsistent with the provisions of this act.

SECTION 6. The advisory board of victim advocacy shall provide an annual written report of its policies for administration of the program, the expenditures of the program, and the accomplishments of the program. Such report shall be provided to each appointment authority and to the county legislative body. A copy shall also be provided to each public library or branch public library in the county. The cost of a copy of such report to any private citizen shall not exceed its cost.

SECTION 7. This act shall take effect on becoming a law, the public welfare requiring it.

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