

PUBLIC CHAPTER NO. 375**HOUSE BILL NO. 1871**

**By Representatives Sargent, Matheny, Overbey, Roach, Williams, Harrison,
Montgomery, McDaniel**

Substituted for: Senate Bill No. 2027

By Senators Johnson, Ketron

AN ACT to amend Tennessee Code Annotated, Title 16, Chapter 22, relative to drug courts.

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

SECTION 1. Tennessee Code Annotated, Section 16-22-103(2), is amended by adding the language "or by the judge of a juvenile court" at the end of the first sentence.

SECTION 2. Tennessee Code Annotated, Section 16-22-105, is amended by deleting the word "and" at the end of subdivision (4); by deleting the period at the end of subdivision (5) and substituting instead a semi-colon and the word "and"; and by adding the following language as a new subdivision to be designated as follows:

(6) Developing standards of operation for drug court treatment programs.

SECTION 3. Tennessee Code Annotated, Section 16-22-106, is amended by deleting "Tennessee" from the first sentence and substituting instead the language "Tennessee or an existing drug court treatment program created by a court exercising criminal jurisdiction".

SECTION 4. Tennessee Code Annotated, Section 16-22-109(a), is amended by deleting the language "or" at the end of subdivision (3) and by deleting the period "." at the end of subdivision (4) and substituting instead a semicolon ";" and the language "or" and by adding the following language as a new subdivision to be designated as follows:

(5) Is found in violation of the terms and conditions of a suspended sentence imposed for any criminal offense described below in subsection (b).

SECTION 5. Tennessee Code Annotated, Section 16-22-109, is further amended by inserting the following language as a new subsection (c) and appropriately redesignating the existing subsections accordingly:

(c) The clerks of all courts of general sessions, circuit and criminal courts and municipal courts exercising the jurisdiction of courts of general sessions, shall collect the sum of seventy-five dollars (\$75.00) from any person who is found in violation of the terms and conditions of a suspended sentence imposed for any criminal conviction wherein the violation is premised upon a positive drug screen.

SECTION 6. Tennessee Code Annotated, Section 16-22-109, is amended by adding the following language as a new appropriately designated subsection:

() The funds collected from this assessment are dedicated to the administration and operation of drug court treatment programs created by courts exercising criminal jurisdiction.

SECTION 7. Tennessee Code Annotated, Section 16-22-113, is amended by deleting the section in its entirety and by substituting instead the following:

Each participant in a drug court treatment program:

Shall not be a violent offender as defined in § 16-22-103(4);

Shall be substance abusing and/or chemically dependent; and

Shall be willing to participate in a treatment program.

SECTION 8. Tennessee Code Annotated, Title 16, Chapter 22, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 16-22-114.

In addition to courts exercising criminal jurisdiction and authorized to serve as drug treatment courts, courts exercising jurisdiction over juveniles alleged to be delinquent or unruly may also develop and operate drug court treatment programs, subject to all guidelines and requirements herein. Such juvenile drug court treatment programs shall not be funded or supported by revenues collected by the clerks of general sessions, circuit and criminal courts or municipal courts exercising general sessions court jurisdiction pursuant to § 16-22-109.

SECTION 9. This act shall take effect July 1, 2007, the public welfare requiring it.

PASSED: May 24, 2007



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 7th day of June 2007



PHIL BREDESEN, GOVERNOR