

RESOLUTION NO. 2025092312

**RESOLUTION TO AUTHORIZE A TWELVE DOLLAR AND FIFTY CENT CHARGE
BY THE CLERK OF EVERY COURT IN LAWRENCE COUNTY HAVING
JURISDICTION OF STATE MISDEMEANORS AND FELONIES FOR THE PURPOSES
AUTHORIZED AND SET OUT IN *TENN. CODE ANN. § 40-3-106***

WHEREAS, as authorized by *Tenn. Code Ann. § 40-14-210*, this county commission has previously approved and implemented a twelve dollar and fifty cent (\$12.50) cost to be added to the cost bill and be collected in all criminal proceedings for the benefit and use of the district public defender's office, and

WHEREAS, the Tennessee General Assembly has recently enacted similar legislation for the benefit of the District Attorney General, and

WHEREAS, upon adoption of an appropriate resolution by a county legislative body, *Tenn. Code Ann. § 40-3-106* makes it the duty of the Circuit Court Clerk of every court in that county having jurisdiction of state misdemeanors and felonies to include in every misdemeanor and felony cost bill, a charge of twelve dollars and fifty cents (\$12.50) that must be remitted to the office of the executive director of the district attorneys general conference for the purpose of providing supplemental funding for the office of the district attorney general within the 22nd Judicial District. This charge shall not apply to nonmoving traffic violations. Any unencumbered moneys and any unexpended balance of such funds remaining at the end of a fiscal year do not revert to the state general fund but must be carried forward for the purpose for which they were originally intended; and

WHEREAS, under *Tenn. Code Ann. § 40-3-106* the aforesaid clerks may only charge the twelve dollars and fifty cents (\$12.50) upon adoption of a resolution by a two-thirds (2/3) vote of the county legislative body of such county; and

WHEREAS, the county legislative body in LAWRENCE County, Tennessee finds that implementation and collection of the foregoing charge is in the best interests of the county.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lawrence County, Tennessee, meeting in regular session at Lawrenceburg, Tennessee, on this 23rd day of September, 2025, that:

SECTION 1. The Circuit Court Clerk of Lawrence County having jurisdiction of state misdemeanors and felonies shall include in every misdemeanor and felony cost bill, a charge of twelve dollars and fifty cents (\$12.50) that must be remitted to the office of the executive director of the district attorneys general conference for the purpose of providing supplemental funding for the office of the district attorney general in the 22nd Judicial District. Any unencumbered moneys and any unexpended balance of such funds remaining at the end of a fiscal year do not revert to

the state general fund but must be carried forward for the purpose for which they were originally intended;

SECTION 2. All costs collected by LAWRENCE County government pursuant to this Resolution must be used for providing support services for the purpose of promoting public safety at the sole discretion of the district attorney general for the 22nd Judicial District;

SECTION 3. LAWRENCE County may supplement the funds of the district attorney general system to promote public safety. The costs collected by Lawrence County under this Resolution are supplemental and in addition to any funds received under *Tenn. Code Ann.* § 40-3-106 or under title 8, chapter 7 of the Tennessee Code Annotated, relative to district attorneys general;

SECTION 4. In every misdemeanor and felony prosecution in which restitution is ordered or the privilege tax for the criminal injuries compensation fund established by *Tenn. Code Ann.* § 40-24-107 is also levied, the cost imposed by this Resolution does not have priority over collection of that restitution or privilege tax; and

SECTION 5. This Resolution shall take effect immediately upon its passage and approval, the public welfare requiring it.

ADOPTED this 23rd day of September, 2025 by a two-thirds (2/3) vote of the Lawrence County legislative body.

SHANE EATON, CHAIR

DAVID MORGAN, COUNTY EXECUTIVE

ATTEST:

RUSS BREWER, COUNTY CLERK

SPONSOR: BUDGET COMMITEE