litter removal grant director. If the offender is not a resident of this state, the litter removal portion of the sentence shall occur in the county where the violation occurred.

(3) In order to reimburse the probation office or county official who administers the state litter removal grant for costs related to the supervision of the offender while on a litter removal work crew, the offender shall pay to the probation office or county official who administers the state litter removal grant a fee equivalent to the jailer's fee for misdemeanants established pursuant to § 8-26-105(a) for each day the offender participates in a litter removal program. The fee must be received by the probation office before the office certifies that the offender has completed this condition of probation.

(4) Upon request, the probation office or county official who administers the state litter removal grant shall provide the offender with a schedule of the times and dates when litter removal crews will be working. Crews shall only be scheduled to work during daylight hours and only on public roadways or publicly-owned property. The probation office or county official who administers the state litter removal grant should attempt to provide enough opportunities to work on a litter removal crew that an offender may complete the required three (3) days of litter removal within a ninety-day period. Offenders may work with other prisoners on litter removal crews organized by the county or a municipality within the county. The offender shall notify the probation office not less than twenty-four (24) hours in advance of a scheduled work date to indicate that the offender desires to participate. The probation office or county official who administers the state litter removal grant may set a maximum number of participants on a work crew and allow participation on a first-come, first-served basis. The offender is responsible for arranging transportation to and from the work site or other location where the probation office directs offenders to report. Except for the vest required by subdivision (s)(5), offenders are also responsible for furnishing their own clothing and food while engaged in litter removal.

(5) Each offender ordered to remove litter pursuant to this subsection (s) shall be required to wear a blaze orange or other distinctively colored vest with the words "I AM A DRUNK DRIVER" stenciled or otherwise written on the back of the vest, in letters no less than four inches (4") in height.

(6) It shall be within the discretion of the probation office or county official who administers the state litter removal grant to select the public roadways or publicly-owned property from which offenders remove litter. If the highway selected is a state route highway or state-owned public property, the department of transportation shall provide a truck or trucks to remove the litter removed by the offenders. If the highway selected is a state-aid highway or county-owned public property, the appropriate county shall provide a truck or trucks to remove the litter removed by the offenders.

(7) The probation office or county official who administers the state litter removal grant may enter into agreements with any city or municipality located within the county in which offenders sentenced pursuant to this section may be used to remove litter from state route highways or state-aid highways located within the limits of the city or municipality. The agreement may provide that the city or municipality assume responsibility for the supervision and control of the offenders.

(8) If any entity receives funds under § 41-2-123(c), the offenders shall be the responsibility of the entity supervising that program and under that entity's supervision and control. In any county where that is the case, "probation office" as used in this subsection (s) shall be interpreted instead to mean the individual or department head in charge of the alternative program.

(9) No probation office or county official who administers the state litter removal grant shall be permitted to use an offender sentenced pursuant to this subsection (s) to perform any task other than litter removal.

(10) Nothing in this subsection (s) shall be construed to require that the state board of probation and parole supervise DUI offenders engaged in the DUI offender litter removal program established by this subsection (s) or otherwise be involved in such program.

(t)(1) In addition to all other fines, fees, costs and punishments now prescribed by law, an ignition interlock fee of forty dollars ($40.00) shall be assessed for each violation of § 55-10-401 occurring on or after July 1, 2010, that results in a conviction for such offense.

§ 8-26-103. Appellate court clerks; office expenses

All necessary books, stationery, office equipment, stamps and supplies of all kinds used in the conduct of the offices of the clerks of the supreme court and the court of appeals shall be furnished and paid for by the state, without regard to fees collected by the clerks.

Formerly § 8-2504.

Library References

Key Numbers	Encyclopedias
Clerks of Courts ⇐28.	C.J.S. Courts § 242.
Westlaw Key Number Search: 79k28.	

§ 8-26-104. Nonappellate court clerks and county trustees; necessary costs

The clerks of the courts other than appellate and county trustees are entitled to be paid, out of the county treasury of their counties, the necessary costs of all blank or record books, stationery and blanks required by them in the discharge of their official duties.

Formerly § 8-2505.

Library References

Key Numbers	Encyclopedias
Clerks of Courts ⇐28.	C.J.S. Courts § 242.
Westlaw Key Number Search: 79k28.	

§ 8-26-105. Jailers' fees; fixed rate

Old limit

(a) The county legislative body or governing body of each county has the authority to pass a resolution fixing the amount of jailers' fees which may be applied to misdemeanant prisoners. The rate fixed shall apply to such prisoners confined in the county jail or county workhouse or workhouses, but not meeting the conditions required for a state subsidy under title 41, chapter 8.

(b) In lieu of the reimbursement for jailers' fees allowed in § 8-26-106, the state shall provide a subsidy pursuant to title 41, chapter 8.

(c) References in other sections to jailers' fees for state prisoners specified in this section shall be deemed to be references to the subsidies specified in § 41-8-106(d).

I do not know what this fee currently is.

1963 Pub.Acts, c. 319, § 1; 1972 Pub.Acts, c. 533, §§ 1 to 3; 1976 Pub.Acts, c. 827, § 1; 1977 Pub.Acts, c. 404, § 1; 1984 Pub.Acts, c. 896, § 7; 1985 Pub.Acts, c. 9[illegible]

Formerly § 8-2507.

Cross References

Alcohol and drug related offenses, reimbursement for costs of incarceration, see § 55-10-[illegible]
State or county liability, see § 40-25-129.

Library References

Key Numbers	Encyclopedias
Prisons ⇐8.	C.J.S. Prisons and Rights of Prisoners [illegible] to 19.
Westlaw Key Number Search: 310k8.	

State of Tennessee
PUBLIC CHAPTER NO. 977

SENATE BILL NO. 3513

By Tate

Substituted for: House Bill No. 3068

By John Deberry

AN ACT to amend Tennessee Code Annotated, Section 55-10-403, relative to litter removal supervision fees for first time DUI offenders.

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

SECTION 1. Tennessee Code Annotated, 55-10-403(s), is amended by deleting subdivision (s)(3) and by substituting instead the following:

> (s)(3) In order to compensate the probation office or county official who administers the state litter removal grant for costs related to the supervision of the offender while on a litter removal work crew, the offender shall pay to the probation office or county official who administers the state litter removal grant a fee for each day the offender participates in a litter removal program. The fee shall be fixed by resolution of the county legislative body. The probation office or county official that administers the state litter removal grant may collect the fee before the offender is permitted to perform litter removal services, after each day service is performed, or after all days of litter removal service have been performed, but the fee shall be collected before the office certifies that the offender has completed this condition of probation. The judge has the authority, however, to make an affirmative finding that the offender lacks a present ability to pay the fee and to include such finding in the sentencing order, which shall be submitted to the probation office or county official that administers the state litter removal grant.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 3513

PASSED: April 27, 2012

RON RAMSEY
SPEAKER OF THE SENATE

BETH HARWELL, *SPEAKER*
HOUSE OF REPRESENTATIVES

APPROVED this 10th day of May 2012

BILL HASLAM, *GOVERNOR*