

RESOLUTION

WHEREAS, at the regular meeting of the Rutherford County Board of Commissioners on December 13, 2012, a Resolution was adopted setting the litter removal supervision fee for first time DUI offenders at Thirty Dollars (\$30.00); and

WHEREAS, pursuant to Public Chapter Number 977, Senate Bill Number 3513, the General Assembly of the State of Tennessee amended Tennessee Code Annotated, Section 55-10-403, relative to litter removal supervision fees for first time DUI offenders as follows:

“(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.”

; and

WHEREAS, it is being proposed to set Rutherford County’s litter removal supervision fee for first time DUI offenders at Forty-Four Dollars (\$44.00) per day.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that pursuant to Tennessee Code Annotated, Section 55-10-403 as amended, Rutherford County’s litter removal supervision fee for first time DUI offenders be set at Forty-Four Dollars (\$44.00) per day effective January 1, 2014, and that all resolutions of the Board of Commissioners of Rutherford County, Tennessee, which are in conflict with this resolution are hereby repealed.

RESOLVED this 17th day of October, 2013.

RUTHERFORD COUNTY, TN

BY: _____
ERNEST G. BURGESS, Chairman

ATTEST:

LISA CROWELL, County Clerk