

CHAPTER NO. 1004

HOUSE BILL NO. 3918

By Representative Hood

Substituted for: Senate Bill No. 3844

By Senator Ketron

AN ACT to amend Tennessee Code Annotated, Title 16 and Title 55, relative to municipal courts.

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

SECTION 1. Tennessee Code Annotated, Section 16-18-302, is amended by deleting subsection (a) and substituting instead the following:

(a) Notwithstanding any provision of law to the contrary:

(1) A municipal court possesses jurisdiction in and over cases:

(A) For violation of the laws and ordinances of the municipality; or

(B) Arising under the laws and ordinances of the municipality; and

(2) A municipal court also possesses jurisdiction to enforce any municipal law or ordinance that mirrors, substantially duplicates or incorporates by cross-reference the language of a state criminal statute, if and only if the state criminal statute mirrored, duplicated or cross-referenced is a Class C misdemeanor and the maximum penalty prescribed by municipal law or ordinance is a civil fine not in excess of fifty dollars (\$50.00).

SECTION 2. Tennessee Code Annotated, Section 55-10-307, is amended by deleting the section in its entirety.

SECTION 3. Tennessee Code Annotated, Section 16-18-309, is amended by inserting the following new sentences between the first and second sentence of (a)(1):

The three (3) hours of training or continuing education required by this subsection shall consist of material specifically designed for municipal court judges and for training such judges concerning the issues, procedures and new developments relevant to such judges. General legal training or continuing legal education shall not be sufficient to satisfy such requirement.

SECTION 4. Tennessee Code Annotated, Section 16-18-309, is further amended by adding the following new subdivision (a)(3):

(3) If a municipal court judge attends more than three (3) hours of qualifying training or continuing education in a calendar year, the hours in excess of three (3) hours may be carried over for one (1) calendar year.

SECTION 5. Tennessee Code Annotated, Title 16, Chapter 8, Part 3, is amended by adding the following as a new section:

§16-8-3__. Municipal court judges and general sessions court judges are empowered to sit by interchange for other municipal court judges.

SECTION 6. This act shall take effect upon becoming law, the public welfare requiring it.

PASSED: May 26, 2006


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 27th day of June 2006


PHIL BREDESEN, GOVERNOR