

West's Tennessee Code Annotated

Title 40. Criminal Procedure

Chapter 14. Rights of Defendants

Part 2. Counsel for Indigents (Refs & Annos)

T. C. A. § 40-14-210

§ 40-14-210. Costs; defraying expenses

Effective: July 9, 2012

[Currentness](#)

(a)(1) In every misdemeanor and felony prosecution instituted in counties having a population in excess of four hundred fifty thousand (450,000), according to the 1980 federal census or any subsequent federal census, there shall be collected a twelve-dollar-and-fifty-cent cost for the purpose of defraying the costs of legal representation and support services provided indigent defendants in criminal proceedings.

(2) This section shall take effect in counties with a population of not more than seven hundred fifty thousand (750,000) and not less than four hundred fifty thousand (450,000), according to the 1980 federal census, or any subsequent federal census upon approval by two-thirds ($\frac{2}{3}$) vote of the metropolitan council of Nashville-Davidson County.

(3) This section shall take effect in any county with approval by two-thirds ($\frac{2}{3}$) vote of the county legislative body.

(b) It is the duty of the clerk of every court having jurisdiction of state misdemeanors and felonies to include in every misdemeanor and felony cost bill the twelve-dollar-and-fifty-cent charge which shall be remitted to the county government, except in counties that are part of a multiple county judicial district as defined in § 16-2-506, in which case this charge shall be remitted to the office of the executive director of the district public defenders conference for the purpose of providing supplemental funding for the office of the district public defender within that judicial district. It is the legislative intent of this subsection (b) that these funds shall not revert to the state general fund but shall instead be carried forward for the purpose for which they were originally intended.

(c) All costs collected by county government pursuant to this section shall be used for providing representation and support services to indigent defendants in criminal proceedings.

(d) Any county may supplement the funds of the district public defender system to represent indigent defendants in criminal prosecution. The costs collected by the county under this section shall be supplemental and in addition to any funds received under this chapter or under title 8, chapter 14, relative to public defenders, for services rendered by the public defender and assistants to the indigent.

(e) This section does not apply to nonmoving traffic violations.

(f) In every misdemeanor and felony prosecution in which the privilege tax for the criminal injuries compensation fund established by § 40-24-107 is also levied, the cost imposed by this section shall not be construed as having priority over collection of that privilege tax.

Credits

1982 Pub.Acts, c. 726, § 1; 1983 Pub.Acts, c. 343, §§ 1 to 3; 1988 Pub.Acts, c. 957, §§ 1, 2; [1992 Pub.Acts, c. 965](#), §§ 5, 6; [2002 Pub.Acts, c. 691](#), § 1, eff. July 1, 2002.

Formerly § 40-2045.

[Notes of Decisions \(3\)](#)

T. C. A. § 40-14-210, TN ST § 40-14-210

Current with laws from the 2019 First Reg. Sess. of the 111th Tennessee General Assembly, eff. through January 1, 2020. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text.

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