



RYAN K. DESMOND
DISTRICT ATTORNEY GENERAL
5TH JUDICIAL DISTRICT

TO: Blount County Commissioners
FROM: Ryan Desmond
Blount County District Attorney

RE: Request for Approval to Collect 12.50 Fund as Authorized in Public Chapter No. 369

Chairman Anderson and Honorable Commissioners,

I am writing to request the County Commission place on the agenda a request to approve the collection of a court cost by the Blount County Circuit Court Clerk in future criminal prosecutions, as recently authorized by the Tennessee General Assembly and Governor Lee on May 5, 2025, in Public Chapter No. 369 (attached). This request will require no matching funds or the expenditure of any county monies.

Summary: The Tennessee Assembly annually funds the District Attorney's Offices for the 32 judicial districts of Tennessee. The funding allocated covers salaries, office supplies, and provides a limited amount of funding for other purposes (technology, training, expert witness fees, software licenses, etc.) to be split among the thirty-two districts. The funding available to each district for these additional purposes is often extremely limited.

In April of 2025, in order to supplement the funds available to each judicial district, the Tennessee General Assembly passed Public Chapter No. 369, which provides for the assessment of a \$12.50 fee to be assessed to criminal defendants who are convicted or assessed court costs in a criminal prosecution. The Bill was signed into law by Governor Lee on May 5, 2025. This assessment requires approval of two-thirds vote of the county legislative body.

This assessment mirrors one enacted in 2012 by the Tennessee General Assembly (T.C.A. §40-14-210) on behalf of the Public Defender's Conference, which currently receives \$12.50 for every cost bill assessed in a misdemeanor or felony prosecution. There would be no charge or assessment for a case that is outright dismissed when a person is not guilty of the charged criminal conduct.

Fee would be collected by Circuit Court Clerk and remitted to Country Trustee. The Bill further requires District Attorney to submit annual report, through the District Attorney General's Conference, regarding funds collected and expended to state Senate judiciary chair, House

criminal justice chair, and both Finance Committee chairs. This report will detail the amount charged and collected and for what purposes the funds were used.

Benefits:

- Creates a predictable revenue stream that does not require any appropriation or tax assessment but enhances the capacity of the district attorney's office to serve their community. Funds will only be collected from individuals charged and convicted/assessed a bill of costs in felony or misdemeanor prosecutions. Allows the District Attorney's Office to maintain and increase all necessary functions while continuing to place no financial burden on local government funding (The DA's office receives/requests no funds from the annual county budget).
- Funds can be used for victim services, staff specialized trainings, expert witness consultation or testimony, technology hardware and software improvements, office security measures, public education materials, and potentially non-attorney staff positions.

I sincerely appreciate your time and attention to this matter. I have attached both a copy of Public Chapter No. 369 and a proposed Draft Copy of a Resolution that would accomplish the stated request. I intend to attend both the agenda meeting and commission meeting when this matter is scheduled but am certainly happy to answer any questions any commissioners may have regarding my request.

Respectfully yours,



Ryan Desmond
District Attorney General
Fifth Judicial District