



AGENDA ACTION FORM

Consideration of an Ordinance to Amend Kingsport Code of Ordinances Section 30-29 Pertaining to Court Costs for Kingsport City Court

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-128-2023

Work Session: June 5, 2023

First Reading: June 6, 2023

Final Adoption: June 20, 2023

Staff Work By: Tincher/Rowlett

Presentation By: Chris McCartt

Recommendation:

Approve the ordinance.

Executive Summary:

Kingsport Code of Ordinances section 30-29 establishes the court costs collected by Kingsport City Court. This ordinance would amend that section to increase the cost from \$60.00 to \$85.00, remove the language regarding the electronic citation fee, and would further update it by removing sub-sections (b) and (c) in their entirety.

Regarding the court costs, the current amount was set by Ordinance Number 6322 in 2013. Over the past 10 years Kingsport City Court has experienced an increase in case volume which commands greater resources. The increase will also bring Kingsport City Court costs more in line with other municipal courts. Additionally, a portion of this increase will assist the county in providing security to the Justice Center which Kingsport City Court benefits from. The Sullivan County Sheriff's office provides equipment and deputies who are in place for as long as city court is in session. \$5.00 of the proposed increase will go towards these personnel costs raising the total amount from \$10.00 to \$15.00.

Additionally, this amendment removes reference to the electronic citation fee adopted in 2014 pursuant to Tenn. Code Ann. § 55-10-207(e). \$5.00 was added to court costs as allowed by the statute to offset costs associated with implementing an electronic citation fee. The statute provided the implementation of the fee was to be for a five year period. In 2021 the Tennessee Attorney General issued Opinion No. 21-02 which advised the legislature did not allow for a renewal for an additional five years and therefore a municipality could not continue charging an electronic citation fee. Kingsport City Court stopped collecting the fee in 2021 after issuance of the A.G. Opinion but the provision was never removed from the code which this amendment now removes.

Attachments:

1. Ordinance
2. Marked copy of Code Section 30-29

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—