

RESOLUTION NO. 2003-35

RESOLUTION AUTHORIZING THE ADOPTION OF THE LOCAL PROVISIONS OF TENNESSEE CODE ANNOTATED § 41-4-142 TO AUTHORIZE THE WEAKLEY COUNTY SHERIFF TO CHARGE INMATE FEES IN CONNECTION WITH THE COMMISSARY PROGRAM AT THE WEAKLEY COUNTY JAIL

WHEREAS, Tennessee Code Annotated § 41-4-142 is a local option law which authorizes counties to establish and implement a plan to authorize the Sheriff of the county to charge inmate fees, not to exceed the actual cost, for items issued to inmates upon each new admission to the correctional facility; and

WHEREAS, the Weakley County Board of Commissioners has determined that it is the best interest of the citizens of Weakley County, Tennessee that the county adopt this act and establish a plan to seek payments amounts from inmates in the said correctional facility; and

NOW, THEREFORE BE IT RESOLVED, by the county legislative body of Weakley County, Tennessee assembled in regular session on this the 19th of May 2003 in Dresden, Tennessee that:

SECTION 1. Pursuant to the provisions of Tennessee Code Annotated, § 41-4-142, the Weakley County Sheriff is authorized to seek from an inmate incarcerated in the county jail, fees for items issued to the inmate upon admission to the county jail as well as during incarceration. A fee schedule is attached herewith as Exhibit "A."

SECTION 2. The Resolution shall not be construed as authorizing the county to deny any necessary items to an inmate who cannot pay the amount established by the plan for necessary items. Nothing in this section shall be construed as authorizing the county to issue necessary clothing or hygiene items based on the inmate's ability to pay.

SECTION 3. Pursuant to the provisions of Tennessee Code annotated, § 41-4-142, if an inmate cannot pay the amounts established by Section 1 of this Resolution, the Sheriff is authorized to deduct that amount from such inmate's commissary account or any other account or fund established by or for the benefit of such inmate while incarcerated.

BE IT FURTHER RESOLVED, that the proceeds of the commissary program be deposited into the appropriate county general fund revenue account.

BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Weakley County, Tennessee, which are in conflict with this resolution are hereby repealed.

BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following Members Of The Weakley County Board Of County Commissioners:

SPONSORED BY:



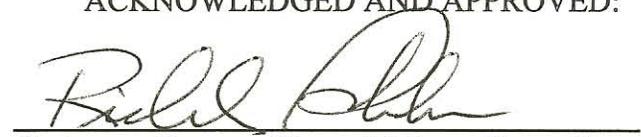
SPONSORED BY:



ACKNOWLEDGED AND APPROVED:


Chairman, Public Safety Committee

ACKNOWLEDGED AND APPROVED:


Chairman, Finance, Ways, & Means Committee

Motion made by Commissioner Baltz that the foregoing resolution be adopted:

Motion seconded by Commissioner Rich.

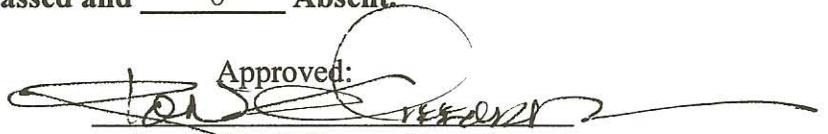
Upon being put to a roll call vote, Motion carried by a vote of 18 Yeas, 0 Nays,

0 Passed and 0 Absent.

Attested:


Pat Scarbrough, County Clerk

Approved:


Ron Gifford, County Executive

THIS THE 19th DAY OF MAY, 2003

EXHIBIT A

**FEE SCHEDULE
WEAKLEY COUNTY SHERIFF'S DEPARTMENT
COMMISSARY PROGRAM**

The following fees are to be assessed in connection with the operation of the commissary program at the Weakley County Sheriff's Office:

Processing/Intake Fee	\$10.00
Damages to County Property	Not to Exceed Actual Property Cost
Over-the-Counter Medications	\$1.00
Prescriptions	\$5.00 per script
Physician Visit	\$10.00