



RESOLUTION 2012-05
RESOLUTION REQUESTING THAT THE TENNESSEE GENERAL ASSEMBLY
REPEAL T.C.A. 33-7-304 PUBLIC CHAPTER 531 SECTION 45
AND TO REQUIRE THE STATE OF TENNESSEE TO CONTINUE TO BE FINANCIALLY
RESPONSIBLE FOR OUTPATIENT AND INPATIENT MENTAL HEALTH
EVALUATIONS AND TREATMENT FOR INDIVIDUALS
CHARGED WITH MISDEMEANOR OFFENSES ONLY

WHEREAS, on June 26, 2009, Governor Phil Bredesen signed into law new legislation making counties responsible for the cost of outpatient and inpatient mental health evaluations and treatment for defendants charged only with misdemeanors and court ordered to undergo said evaluations (see T.C.A. 33-7-304, Public Chapter 531 Section 45); and,

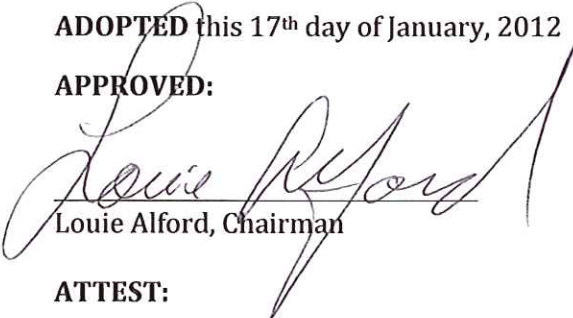
WHEREAS, before the adoption of T.C.A. 33-7-304, Public Chapter 531 Section 45 the State of Tennessee paid all costs and expenses for outpatient and inpatient mental health evaluations and treatment ordered by the court for defendants charged with both misdemeanors and felonies; and,

WHEREAS, this unfunded mandate transferred the cost of outpatient and inpatient mental health evaluations and treatments for criminal defendants charged only with misdemeanors from the State of Tennessee to the individual counties has resulted in serious financial ramifications for Bradley County with the potential for untold cost in the future.

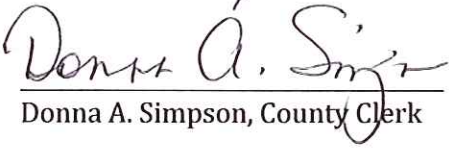
NOW, THEREFORE BE IT RESOLVED by a majority vote of the County Legislative Body of Bradley County, meeting as its REGULAR SESSION in Cleveland, Tennessee on the 17th day of January, 2012 respectfully requests that the Tennessee General Assembly and Senator Mike Bell, Representative Kevin Brooks and Representative Eric Watson sponsor and support legislation to repeal "T.C.A. 33-7-304, Public Chapter 531 Section 45" and again require the State of Tennessee to absorb or pay state mental health facilities and agencies who perform court ordered mental evaluations and treatment for criminal defendants charged with misdemeanors.

ADOPTED this 17th day of January, 2012

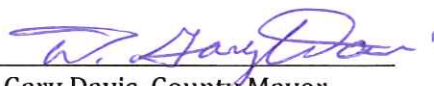
APPROVED:


Louie Alford, Chairman

ATTEST:


Donna A. Simpson, County Clerk

RATIFIED OR VETO:


D. Gary Davis, County Mayor