

Amendment No. _____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 2452

House Bill No. 2539*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-304, is amended by adding the following language as a new subsection:

(i)

(1) When sentencing a criminal defendant, a general sessions court may direct the defendant to make restitution to the victim of the offense as a condition of probation, or enter an order of restitution awarding a civil judgment of restitution to the victim of the offense. The victim of the offense may choose to receive restitution in the form of a civil judgment or in payments or performance by the defendant as a condition of probation.

(2) If the victim chooses to receive restitution in the form of a civil judgment, then the court shall enter a civil order for restitution, if appropriate.

The civil order for restitution:

(A) Is entitled to be enforced the same as any other judgment of a court of this state and is entitled to full faith and credit in this state and in any other state; and

(B) Is a final civil judgment at the time of entry and remains in effect from the date of entry until the judgment is paid in full or is otherwise discharged.

(3) If the victim chooses to receive restitution as a condition of the defendant's probation and, upon expiration of the time of payment or the payment schedule imposed pursuant to subsection (c) or (g), any portion of the



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restitution remains unpaid, then the victim or the victim's beneficiary may convert the unpaid balance into a civil judgment in accordance with the procedure set forth in subsection (h).

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it.

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AMEND Senate Bill No. 2460

House Bill No. 2540*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-24-105(a), is amended by deleting the last sentence of the subsection and substituting instead the following:

The following shall be the allocation formula for moneys paid into court: the first moneys paid in any case shall first be credited toward the payment of restitution owed to the victim, if any, and once restitution has been paid in full, the next moneys shall be credited toward payment of litigation taxes and once litigation taxes have been paid, the next moneys shall be credited toward payment of costs; then additional moneys shall be credited toward payment of the fine.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it.



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Signature of Sponsor

AMEND Senate Bill No. 2437*

House Bill No. 2693

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 39-11-622, is amended by deleting the language "§§ 39-11-611–39-11-614 or § 29-34-201," wherever it appears and substituting instead the language "§§ 39-11-611–39-11-614, § 29-34-201, or § 49-6-4107,".

SECTION 2. Tennessee Code Annotated, Section 49-6-4107, is amended by adding the following language as a new subsection:

(d) A teacher, principal, school employee, or school bus driver using reasonable force in exercising the person's lawful authority in accordance with this section is immune from civil liability arising from the person's action pursuant to § 39-11-622, unless the teacher's, principal's, school employee's, or school bus driver's conduct is the result of gross negligence, intentional harm, or willful or wanton misconduct. A person who is immune under this section is not the proximate cause of any resulting injuries.

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it, and shall apply to conduct occurring on or after that date.



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Signature of Sponsor

AMEND Senate Bill No. 1289

House Bill No. 862*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-33-216, is amended by deleting the section and substituting instead the following:

(a) By February 1 of each year, the department of safety shall report to the speakers of the senate and the house of representatives, chairs of the judiciary committees of the senate and the house of representatives, chair of the civil justice subcommittee of the house of representatives, and chair of the criminal justice subcommittee of the house of representatives, and to the public on the department's website, a report detailing, for the previous calendar year:

- (1) The total number of seizure cases opened by the department;
- (2) The race, gender, age, and zip code of property owner's residence;
- (3) The number of seizure cases in which an arrest was made at the time of seizure;
- (4) The number of arrests that occurred after the seizure notice was sent to the department of safety;
- (5) The total number of cases resulting in forfeiture;
- (6) The types of property seized under this part and the totals of each type;
- (7) The amount of currency seized;
- (8) The amount of currency forfeited;
- (9) The total number of cases which resulted in a default by the property owner;



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- (10) The total amount of currency, including the mean and median amounts, forfeited as a result of default;
- (11) The total value amount of property, including the mean and median amounts, forfeited as a result of default;
- (12)
 - (A) The total number of cases which resulted in a settlement; and
 - (B) The mean and median amount of time for cases from the date opened to the date of settlement;
- (13) The total amount of currency, including the mean and median amounts, forfeited as a result of settlement;
- (14) The total value of property, including the mean and median values, forfeited as a result of settlement;
- (15) The total amount of currency, including the mean and median amounts, returned to the property owner as a result of settlement;
- (16) The total value of property, including the mean and median values, returned to the property owner as a result of settlement;
- (17) The total number of cases resulting in a hearing;
- (18) The total number of hearings resulting in forfeiture of assets, including:
 - (A) The mean and median amounts of time for cases from the date opened to the date of forfeiture of assets as a result of a disposition by hearing; and
 - (B) The mean and median amounts of time for cases from the date opened to the date assets were returned to the property owner as a result of a disposition by hearing;
- (19) The total amount of currency, including the mean and median amounts, forfeited as a result of a disposition by hearing;

(20) The total value of property, including the mean and median values, forfeited as a result of a disposition by hearing;

(21) The total amount of currency, including the mean and median amounts, returned to the property owner as a result of a disposition by hearing;

(22) The total value of property, including the mean and median values, returned to the property owner as a result of a disposition by hearing;

(23) The total number of cases resulting in a criminal conviction of the property owner of seized currency or property;

(24) The total amount of currency, including the mean and median amounts, forfeited in criminal conviction of property owner of currency or property;

(25) The total value of property, including the mean and median values, forfeited in criminal conviction of property owner of currency or property; and

(26) How proceeds derived from forfeited assets have been used by each individual law enforcement agency.

(b) The department shall include each category of information for the department as a whole and separately for each individual law enforcement agency that opened a forfeiture proceeding with the department in the previous calendar year.

(c) The information reported by the department pursuant to subdivision (a)(25) and to the department pursuant to § 40-33-211(a)(2) must be made accessible to the public on the department's website through a prominent link provided on the home page.

SECTION 2. For the purposes of promulgating rules, policies, forms, and procedures and making necessary provisions for the implementation of this act, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2020, the public welfare requiring it.

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Signature of Sponsor

AMEND Senate Bill No. 1992

House Bill No. 1948*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 24, Chapter 7, is amended by adding the following language as a new section:

(a) Any evidence obtained by interception of or access to a communication or by surveillance in an illegal manner by the party seeking to introduce such evidence is inadmissible in a civil proceeding. Upon motion of a party, the court shall determine whether the evidence clearly and convincingly demonstrates that the evidence sought to be introduced was obtained in an illegal manner.

(b) Notwithstanding subsection (a), in a proceeding involving child custody, the court may allow the evidence to be admitted if the court finds that the probative value of the evidence outweighs the danger of unfair prejudice and consideration of the evidence is in the best interest of the child.

(c) As used in this section, "illegal manner" means a manner that is in violation of § 39-14-405; title 39, chapter 13, part 6; or title 40, chapter 6, part 3.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and is repealed on July 1, 2025.



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