

Amendment No. _____

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Clerk _____
Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 731*

House Bill No. 891

by deleting the language in SECTION 3 and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 40-20-114, is amended by redesignating existing subsection (e) as subsection (f) and adding the following as a new subsection (e):

(e) A court shall not accept any plea agreement that allows an elected public official who is charged with an infamous crime involving an offense committed in the person's official capacity or involving the duties of the person's office, to qualify for, seek, or hold public office in this state or any political subdivision of this state at some point in the future. If an elected public official accepts a plea agreement for an offense committed in the person's official capacity or involving the duties of the person's office, the person is prohibited from qualifying for, seeking, or holding public office in this state or any political subdivision of this state at some point in the future after the plea agreement has been agreed to by all parties.



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Signature of Sponsor

AMEND Senate Bill No. 1166

House Bill No. 1364*

by deleting subsections (e) and (f) of SECTION 1 and by substituting instead the following:

(e) A procedure is not a violation of subsection (b) if the procedure is:

(1) Necessary to the physical health of the person on whom the procedure is performed;

(2) Performed on a person who is in labor or who has just given birth for medical purposes connected with that labor or birth; or

(3) Cosmetic rejuvenation and reconstruction in accordance with the standards of the American college of obstetrics and gynecology.

(f) Any physician, physician in training, certified nurse or midwife, or any other medical professional who performs, participates in, or facilitates a female genital mutilation procedure that does not fall under an exception listed in subsection (e) shall, in addition to the criminal penalties under this section, be subject to disciplinary action by the appropriate licensing board.

AND FURTHER AMEND by deleting subdivision (a)(2)(C) of SECTION 1 and substituting instead the following:

(C) Any harmful procedure to the genitalia, including pricking, piercing, incising, scraping, or cauterizing; provided, however, that body piercing, pursuant to title 62, chapter 38, part 3, when performed on a consenting adult, is not female genital mutilation;



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AMEND Senate Bill No. 447

House Bill No. 397*

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

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) There is created a fund within the state treasury, to be known as the "victims of human trafficking fund." The fund consists of proceeds from assets seized pursuant to § 39-11-703, grants, appropriations by the general assembly, and any federal funds, to the extent permitted by federal law and regulation. Moneys deposited in the fund must be invested for the benefit of the fund pursuant to § 9-4-603. Moneys in the fund must not revert to the general fund, but must remain available to be used by the department of finance and administration's office of criminal justice programs exclusively for the purpose specified in subsection (b). The commissioner of the department of finance and administration has the authority to promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, in order to ensure the funds are received and expended for the purposes consistent with subsection (b).

(b) The purpose of the victims of human trafficking fund is to provide specialized comprehensive treatment and support services to the victims of human trafficking offenses, as defined in § 39-13-314. Specialized comprehensive treatment and support services for victims of human trafficking include, but are not limited to, medical care, mental health and substance abuse care, nutritional counseling, safe housing, job training, transportation, and other basic human needs. The department of finance and administration's office of criminal justice programs shall distribute moneys in the fund in



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the form of grants to agencies that provide specialized comprehensive treatment and support services for the victims of human trafficking. It is the legislative intent that priority for funding be directed to the single point of contact agencies in this state recognized by the Tennessee bureau of investigation and the department of children's services.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

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AMEND Senate Bill No. 1475

House Bill No. 1401*

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

SECTION 1. Tennessee Code Annotated, Section 8-7-201(e)(3) is amended by deleting the section in its entirety and substituting instead the following:

(A) On July 1, 2022, the executive director for the district attorneys general conference shall reclassify into the salary schedule set forth in § 8-7-226, any current employee who was hired prior to July 1, 1994, and has twenty-five (25) years or more years of credited service as an assistant district attorney general.

(B) No salary shall be diminished or increased by the reclassification required in subdivision (e)(3)(A). After July 1, 2022, all assistant district attorneys general must be compensated by the scale set forth in § 8-7-226, as adjusted by cost of living or annual percentage increases.

SECTION 2. Tennessee Code Annotated, Section 8-7-105(a), is amended by adding the following at the end of the existing language:

Beginning September 1, 2022, the base salary for district attorneys general must be the same as the salary of the highest compensated general sessions judge in Tennessee.

SECTION 3. This act shall take effect July 1, 2019, the public welfare requiring it.



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AMEND Senate Bill No. 1279

House Bill No. 1238*

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

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 4, is amended by adding the following as a new section:

40-4-104.

(a) Prior to a preliminary proceeding as described in § 40-4-101, the district attorney prosecuting the case, the investigator assigned to the case, or the official of the jail in which the defendant is held, as applicable, shall take affirmative steps to determine the defendant's immigration status with the bureau of immigration and customs enforcement (ICE) of the United States department of homeland security.

(b) A judge of the court of general sessions presiding over a criminal case shall, at a preliminary proceeding as described in § 40-4-101, inquire as to whether the district attorney prosecuting the case, the investigator assigned to the case, or the official of the jail in which the defendant is held, as applicable, has complied with subsection (a).

(c) This section must be applied uniformly, and inquiries must not differ based on a person's race, ethnicity, religion, or national origin. Additionally, the requirements of this section must be implemented in a manner fully consistent with federal law regulating immigration and protecting the civil rights of all citizens, nationals, and aliens.

SECTION 2. Tennessee Code Annotated, Section 40-11-118, is amended by adding the following as a new subsection:

After an inquiry pursuant to § 40-4-104 concerning the citizenship or lawful status of a defendant who is charged with a criminal offense, if it is determined that the



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defendant is not lawfully present in the United States, when determining the amount of bail, the judge shall presume the defendant to be a flight risk and shall set bond at an appropriate amount to cover the cost of retrieving the defendant from outside of the United States. It is the intent of the general assembly that any bond set must be with sufficient corporate sureties absent clear and convincing proof a corporate surety bond is unnecessary.

SECTION 3. Tennessee Code Annotated, Title 40, Chapter 7, Part 1, is amended by adding the following as a new section:

All state and local law enforcement agencies, prisons, jails, detention centers, jail administrations, and similar agencies shall cooperate to the fullest extent possible with any detention detainers of the bureau of immigration and customs enforcement (ICE) of the United States department of homeland security within the limits of state and federal law.

SECTION 4. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 5. This act shall take effect July 1, 2019, the public welfare requiring it, and shall apply to offenses committed on or after that date.

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AMEND Senate Bill No. 35*

House Bill No. 135

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

SECTION 1. Tennessee Code Annotated, Section 39-13-103, is amended by adding the following new subdivision to be designated as (b)(4) and redesignating present subdivision (b)(4) accordingly:

(4) Reckless endangerment by discharging a firearm into the air above a parade, religious service, concert, athletic event, political event, educational event, or any group of twenty-five (25) or more people who are lawfully assembled is a Class C felony. Discharging a firearm under the circumstances described in this subdivision (b)(4) is not an offense if the discharge of a firearm:

- (A) Is by a member of a law enforcement agency or any branch of the military acting in the course of the person's official duties;
- (B) Involves the firing of non-live ammunition as part of a funeral; or
- (C) Occurs in a location where participants have assumed the risk of the activity involving the discharge of a firearm, including group hunting activities.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it, and shall apply to all offenses occurring on or after that date.



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AMEND Senate Bill No. 409*

House Bill No. 1131

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

SECTION 1. Tennessee Code Annotated, Section 40-11-115, is amended by adding the following language as a new, appropriately designated subsection:

(c)

(1) If a magistrate, judicial commissioner, or judge does not order the release of a defendant pending trial on the person's recognizance or upon the execution of an unsecured appearance bond, the magistrate, judicial commissioner, or judge must document in writing the reasons for making such determination, which may include, but are not limited to, the factors listed in subsection (b). Documentation of the reasons for denying release on the defendant's recognizance or unsecured bond are subject to open records requests.

(2) If the magistrate, judicial commissioner, or judge determines that the defendant is not a resident of this state, no further reasons for denying release on the defendant's recognizance or unsecured bond are required to be documented by this subsection (c).

(3) This subsection (c) does not limit the magistrate, judicial commissioner, or judge's authority to release any defendant pursuant to subsection (a), regardless of the defendant's state of residency.

SECTION 2. Tennessee Code Annotated, Section 40-11-116(b), is amended by adding the following language as new subdivision (4):



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(4) Order the defendant to use a transdermal monitoring device, other alcohol or drug monitoring device, or global positioning system (GPS) monitoring device.

SECTION 3. This act shall take effect July 1, 2019, the public welfare requiring it.