

House Judiciary Committee Amendment # 1 as amended

Amendment No. 1 to HB2726

Buck
Signature of Sponsor

AMEND Senate Bill No. 2800*

House Bill No. 2726

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

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

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 4, is amended by adding the following as a new section:

Section 55-10-419.

(a) No district attorney general or assistant district attorney shall have the authority to enter into an agreement whereby a defendant charged with driving under the influence of an intoxicant as prohibited by § 55-10-401, is permitted to plead guilty to the offense of adult driving while impaired as prohibited by § 55-10-418, or reckless driving as prohibited by § 55-10-205, if, at the time of the offense, the defendant's blood contained fifteen-hundredths of one percent (.15%) or more by weight of alcohol.

(b) Notwithstanding the provisions of Rule 11(e) of the Tennessee Rules of Criminal Procedure to the contrary, no judge shall have the authority to approve any plea agreement entered in violation of subsection (a) of this section.

(c) Any plea agreement entered into or approved in violation of subsection (a) is void as contrary to public policy.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.