

Amendment No. 1 to HB2651

**McMillan
Signature of Sponsor**

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

AMEND Senate Bill No. 2273*

House Bill No. 2651

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Title 40, Chapter 35, Part 1, is amended by adding the following as a new section:

Section 40-35-122.

(a) Notwithstanding the provisions of Tennessee Code Annotated, Section 24-1-201(c), or any other provision of law to the contrary, in a criminal proceeding confidential communications between married persons are privileged and inadmissible if either spouse objects. This communications privilege shall not apply to a criminal proceeding involving abuse of one (1) of the spouses or abuse of a minor in the custody of or under the dominion and control of either spouse, including, but not limited to, proceedings arising under title 36, chapter 1, part 1; title 37, chapter 1, parts 1, 4 and 6; title 37, chapter 2, part 4; and title 71, chapter 6, part 1.

(b) The provisions of this section shall apply to any criminal proceeding resulting from an offense committed on or after January 1, 2001.