

**CHAPTER NO. 96**

**SENATE BILL NO. 177**

**By Fowler, Burks**

Substituted for: House Bill No. 394

By Chumney, Brenda Turner

AN ACT To amend Tennessee Code Annotated, Title 36, Chapter 3, Part 6, relative to domestic abuse.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-3-601(9), is amended by deleting the following words, figures and symbols:

and who a law enforcement officer has determined is not a primary aggressor under the factors set out in § 36-3-619(c)

SECTION 2. Tennessee Code Annotated, Section 36-3-601(3)(E), is amended by adding the following language after the first sentence:

In such counties, "court" also includes judicial commissioners, magistrates and other officials with the authority to issue an arrest warrant in the absence of a judge for purposes of issuing any order of protection pursuant to this part when a judge of one of the courts listed in subdivision (3)(A), (B) or (C) is not available.

SECTION 3. Tennessee Code Annotated, Section 36-3-601(3)(E), is further amended by adding the following language at the end of such subdivision after the language "or support.":

(F) Any appeal from a final ruling on an order of protection by a general sessions court or by any official authorized to issue an order of protection under this subdivision shall be to the circuit or chancery court of the county. Such appeal shall be filed within ten (10) days and shall be heard de novo.

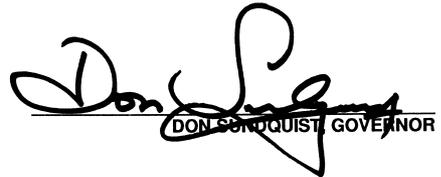
SECTION 4. This act shall take effect July 1, 2001, the public welfare requiring it.

**PASSED: April 16, 2001**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 18<sup>th</sup> day of April 2001**

  
DON SUNDQUIST, GOVERNOR