

CHAPTER NO. 322

SENATE BILL NO. 428

By Finney, Burks

Substituted for: House Bill No. 716

By Montgomery

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14; and Title 39, Chapter 17, relative to the use of rented or leased property for certain purposes.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-417, is amended by adding the following new subdivision (C) to subsection (c)(2):

(C) In addition to the requirement that restitution be made to the governmental entity pursuant to subdivision (B), the court shall also require that restitution be made to any private property owner, either real or personal, whose property is destroyed or suffers damage as a result of such offense. In the case of property that was rented or leased, damages may also include the loss of any revenue that occurred because the property was uninhabitable or a crime scene. The type and amount of restitution permitted pursuant to this subdivision shall be determined by the court using the procedure set out in § 40-35-304.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.

PASSED: May 24, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 7th day of June 2005


PHIL BREDESEN, GOVERNOR