

HOUSE BILL 563

By Harwell

AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 6, Part 1 and Title 40, Chapter 35, Part 3, relative to the collection of biological specimens for DNA analysis.

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

SECTION 1. Tennessee Code Annotated, Section 40-35-321, is amended by deleting the first sentence of subdivision (d)(1) and substituting instead the following:

When a court sentences a person convicted of any felony offense committed on or after July 1, 1998, or any misdemeanor offense, the conviction for which requires the defendant to register as a sexual offender pursuant to title 40, chapter 39, part 2, on or after July 1, 2007, it shall order the person to provide a biological specimen for the purpose of DNA analysis as defined in subsection (a).

SECTION 2. Tennessee Code Annotated, Section 40-35-321, is amended by deleting the first sentence of subdivision (d)(2) and substituting instead the following:

If a person convicted of any felony offense, or any applicable misdemeanor offense, and committed to the custody of the commissioner of correction for a term of imprisonment or sentenced to a period of confinement in a county jail or workhouse, has not provided a biological specimen for the purpose of DNA analysis as defined in subsection (a), the commissioner or the chief administrative officer of a local jail may order the person to provide a biological specimen for the purpose of DNA analysis before completion of the person's term of imprisonment.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.