

Amendment No. 1 to HB2506

Coleman
Signature of Sponsor

AMEND Senate Bill No. 2545

House Bill No. 2506*

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter ,13 Part 6, is amended by adding the following as a new section:

Section 39-13-608.

(a) As used in this section, "radio" means any device capable of receiving a wireless voice transmission on any frequency allocated by the federal communications commission of the United States for police or other law enforcement, fire fighting, emergency medical, federal, state, local corrections or homeland security purposes, or any other device capable of transmitting and receiving a wireless voice transmission.

(b) It is an offense for a person to knowingly use or employ a radio during the commission or attempted commission of a crime, or the immediate flight from the commission or attempted commission of a crime.

(c) It is an offense for a person to knowingly intercept any message or transmission made on or over any device used for police or other law enforcement, fire fighting, emergency medical, federal, state, local corrections or homeland security purposes, if the information intercepted is used:

(1) By that person, or another person who is the recipient of the information, to commit or facilitate the commission of, or attempt to commit, a crime, or the immediate flight there from; or

(2) In a manner which interferes with the discharge of police or other law enforcement, fire fighting, emergency medical, federal, state, local corrections or homeland security duties or purposes.

(d) This section shall not apply to the use of radar detectors.

(e)

(1) A violation of subsection (c) is a Class A misdemeanor.

(2) If the violation of subsection (b) occurs during the commission, attempted commission, or the immediate flight from the or attempted commission of a Class C or B misdemeanor, such violation is a Class A misdemeanor.

(3) If the violation of subsection (b) occurs during the commission, attempted commission, or the immediate flight from the commission or attempted commission of a Class A misdemeanor or any classification of felony, such violation is a Class E felony.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.