

HOUSE BILL 1134

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 17;  
Title 20 and Title 36, Chapter 4, relative to  
peremptory challenges in divorce cases.

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

SECTION 1. Tennessee Code Annotated, Section 36-4-110, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection (b):

(b) If the defendant elects to appear and answer the complaint pursuant to subsection (a), the defendant may challenge the judge hearing the case without assigning cause in the same manner as a peremptory challenge pursuant to § 22-3-105. The defendant shall only be entitled to one (1) peremptory challenge against a judge pursuant to this subsection (b). If a defendant elects to challenge a judge pursuant to this subsection (b), the presiding judge for the judicial district shall assign the case to another judge.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.