

SENATE BILL 2800

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13 and Title 40, Chapter 11, relative to certain criminal offenses and release on bail for such offenses.

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

SECTION 1. Tennessee Code Annotated, Section 40-11-150, is amended by deleting subsection (a) and substituting instead the following:

(a) In addition to the factors set out in § 40-11-118, in making a decision concerning the amount of bail required for the release of a defendant who is arrested for the offense of stalking, aggravated stalking or especially aggravated stalking, as defined in § 39-17-315, any criminal offense defined in title 39, chapter 13, in which the alleged victim of the offense is a victim as defined in § 36-3-601(5), (10), or (11), or is in violation of an order of protection as authorized by title 36, chapter 3, part 6, the magistrate shall review the facts of the arrest and detention of the defendant and determine whether the defendant is:

- (1) A threat to the alleged victim;
- (2) A threat to public safety; and
- (3) Reasonably likely to appear in court.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.