

HOUSE BILL 215

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 36,
Chapter 3, Part 6; Title 39; Title 40 and Title 41,
relative to violations of orders of protection.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-113, is amended by adding the following language as a new, appropriately designated subsection:

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(1) On finding a first violation of this section, a court may order the defendant to wear an electronic tracking device for the duration of the order of protection and all costs associated with the purchase and maintenance, as applicable, of such electronic tracking device shall be borne solely by the defendant.

(2) On finding a second or subsequent violation of this section, a court shall order the defendant to wear an electronic tracking device for the duration of the order of protection and all costs associated with the purchase and maintenance, as applicable, of such electronic tracking device shall be borne solely by the defendant.

(3) For purposes of this subsection, "electronic tracking device" means a device utilized by a law enforcement agency for tracking, at a minimum, the location of the defendant and the time at which the defendant is present at such location using global positioning system (GPS) technology.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it, and shall apply to prohibited acts occurring on or after the effective date of this act.