

HOUSE BILL 694

By Maggart

AN ACT to amend Tennessee Code Annotated, Title 39;
Title 40 and Title 41, relative to criminal procedure.

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

SECTION 1. Tennessee Code Annotated, title 40, chapter 15, is amended by deleting the chapter in its entirety.

SECTION 2. Tennessee Code Annotated, Section 40-35-313(a)(1)(B)(i), is amended by deleting subdivisions (b) and (c) in their entirety and substituting instead the following:

(b) Is not seeking deferral of further proceedings for a sexual offense, a violation of § 71-6-117 or § 71-6-119, driving under the influence of an intoxicant as prohibited by § 55-10-401, or a Class A or B felony;

(c) Has not previously been convicted of a felony or a Class A misdemeanor for which a sentence of confinement is served; and

(d) Has not previously been granted judicial diversion under this chapter or pretrial diversion.

SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it.