

HOUSE BILL 2441

By Dean

AN ACT to amend Tennessee Code Annotated, Section 40-11-137, relative to surrendering defendants.

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

SECTION 1. Tennessee Code Annotated, Section 40-11-137, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b)

(1) Any court having jurisdiction so notified shall have the defendant brought before it as soon as practicable, and within seventy-two (72) hours, and determine whether or not the surrender was for good cause.

(2)

(A) If the court having jurisdiction finds that the surrender was arbitrary or not for good cause, it may order the defendant rereleased upon the same undertaking or impose other conditions as provided by law.

(B) If the surrender is found to be for good cause, the court having jurisdiction shall approve the surrender by endorsement upon the bail bond or by other writing, and it shall be the duty of the surrendering bail bondsman to deliver the written approval or copy of the approval to the sheriff.

(3) This subsection (b) shall not apply where a surrender is based on a condition or final judgment of forfeiture issued by the court having jurisdiction over the defendant.

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