

Amendment No. 1 to HB2026

Lamberth
Signature of Sponsor

AMEND Senate Bill No. 1859*

House Bill No. 2026

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101(g)(1)(A), is amended by deleting the subdivision and substituting instead the following:

(A) A person who was convicted of one of the following Class E felonies and sentenced to imprisonment for a term of three (3) years or less for an offense committed on or after November 1, 1989:

(i) Section 39-11-411 — Accessory after the fact;

(ii) Section 39-13-306 — Custodial interference where person not voluntarily returned by defendant;

(iii) Section 39-13-604(c)(2) — Knowing dissemination of illegally recorded cellular communication;

(iv) Section 39-14-105(a)(2) — Theft;

(v) Section 39-14-114(c) — Forgery;

(vi) Section 39-14-115 — Criminal simulation;

(vii) Section 39-14-116(c) — Hindering secured creditors;

(viii) Section 39-14-117(b) — Fraud in insolvency;

(ix) Section 39-14-118 — Fraudulent use of credit card or debit card;

(x) Section 39-14-121 — Worthless checks;

(xi) Section 39-14-130 — Destruction of valuable papers;

(xii) Section 39-14-131 — Destruction or concealment of will;

(xiii) Section 39-14-133 — Fraudulent or false insurance claim;

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- (xiv) Section 39-14-137(b) — Fraudulent qualifying for set aside programs;
- (xv) Section 39-14-138 — Theft of trade secrets;
- (xvi) Section 39-14-139 — Sale of recorded live performances without consent;
- (xvii) Section 39-14-143 — Unauthorized solicitation for police, judicial, or safety associations;
- (xviii) Section 39-14-147(f) — Fraudulent transfer of motor vehicle with value of less than \$20,000;
- (xix) Section 39-14-149 — Communication theft (fine only);
- (xx) Section 39-14-153 — Home improvement fraud;
- (xxi) Section 39-14-402 — Burglary of an auto;
- (xxii) Section 39-14-408 — Vandalism;
- (xxiii) Section 39-14-411 — Utility service interruption or property damage;
- (xxiv) Section 39-14-505 — Aggravated criminal littering (2nd and 3rd offenses involving certain weight or volume);
- (xxv) Section 39-14-602 — Violation of Tennessee Personal and Commercial Computer Act;
- (xxvi) Section 39-14-603 — Unsolicited bulk electronic mail;

(xxvii) Section 39-16-201 — Taking telecommunication device into penal institution;

(xxviii) Section 39-16-302 — Impersonation of licensed professional;

(xxix) Section 39-16-603 — Evading arrest in motor vehicle where no risk to bystanders;

(xxx) Section 39-16-609(e) — Failure to appear (felony);

(xxxi) Section 39-17-106 — Gifts of adulterated candy or food;

(xxxii) Section 39-17-417(f) — Manufacture, delivery, sale, or possession of Schedule V drug (fine not greater than \$5,000);

(xxxiii) Section 39-17-417(g)(1) — Manufacture, delivery, sale, or possession of not less than one-half (1/2) ounce and not more than ten pounds (10 lbs.) of Schedule VI drug marijuana (fine not greater than \$2,500);

(xxxiv) Section 39-17-417(h) — Manufacture, delivery, sale or possession of Schedule VII drug (fine not greater than \$1,000);

(xxxv) Section 39-17-418(e) — Simple possession or casual exchange (3rd offense);

(xxxvi) Section 39-17-422(c) — Selling glue for unlawful purpose;

(xxxvii) Section 39-17-423(c) — Counterfeit controlled substance;

(xxxviii) Section 39-17-425(b)(1), (2), (3) — Unlawful drug paraphernalia uses and activities;

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