

Amendment No. 1 to SB1865

Overbey
Signature of Sponsor

AMEND Senate Bill No. 1865

House Bill No. 1705*

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

SECTION 1. Tennessee Code Annotated, Section 37-1-134(a)(1), is amended by deleting the last sentence and substituting instead the following:

The district attorney general may not seek, nor may any child transferred under this section receive, a sentence of death for the offense for which the child was transferred. A child transferred under this section who receives a sentence of imprisonment for life for first degree murder may be eligible for parole consideration after serving at least thirty (30) full calendar years of the sentence.

SECTION 2. Tennessee Code Annotated, Section 40-35-501(i), is amended by adding the following as a new subdivision:

(4)

(A) Notwithstanding subsection (h) or subdivision (1) of this subsection (i), release eligibility for a defendant who receives a sentence of imprisonment for life for an offense that was committed when the defendant was less than eighteen (18) years of age shall occur after service of sixty-five percent (65%) of sixty (60) years less sentence reduction credits earned and retained by the defendant. However, no sentence reduction credits authorized by § 41-21-236, or any other provision of law, shall operate to reduce below fifty percent (50%) the percentage of sentence imposed by the court the defendant must serve before becoming release eligible.

(B) Any defendant serving a sentence of imprisonment for life for an offense that was committed when the defendant was less than eighteen (18) years of age may

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request that the department of correction recalculate the defendant's release eligibility date based on this subdivision (i)(4).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to defendants sentenced before, on, or after that date.