

Amendment No. 1 to HB0167

Curcio
Signature of Sponsor

AMEND Senate Bill No. 403

House Bill No. 167*

by deleting SECTION 7 and substituting instead the following:

SECTION 7. Tennessee Code Annotated, Section 39-16-201, is amended by deleting subsections (b) and (c) and substituting instead the following:

(b) It is unlawful for any person to:

(1) Knowingly and with unlawful intent take, send, or otherwise cause to be taken into any penal institution where prisoners are quartered or under custodial supervision:

(A) Any weapon, ammunition, or explosive;

(B) Any intoxicant, legend drug, controlled substance, or controlled substance analogue found in chapter 17, part 4 of this title; or

(C) Any telecommunication device; or

(2) Knowingly and with unlawful intent possess any of the following materials while present in any penal institution where prisoners are quartered or under custodial supervision without the express written consent of the chief administrator of the institution:

(A) Any weapon, ammunition, or explosive; or

(B) Any intoxicant, legend drug, controlled substance, or controlled substance analogue found in chapter 17, part 4 of this title.

(c)

(1) A violation of subdivision (b)(1)(A) or (b)(2)(A) is a Class C felony.

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(2) A violation of subdivision (b)(1)(B), (b)(1)(C), or (b)(2)(B) is a Class D felony.

AND FURTHER AMEND by deleting Section 12 and substituting instead the following:

SECTION 12. Section 3 of this act that authorizes a person whose driver license has been revoked or restricted prior to July 1, 2019, to petition a court for reinstatement of the person's driver license shall take effect thirty (30) days after the date upon which the commissioner of safety provides written notification to the secretary of state and the executive secretary of the Tennessee code commission that the department of safety's "A-list" driver license program is capable of implementing this act, or it shall take effect January 1, 2020, whichever is earlier, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2019, the public welfare requiring it.

AND FURTHER AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following as a new subsection:

(v) There shall be no release eligibility for a person committing the offense of driving under the influence, as defined in § 55-10-401, on or after January 1, 2019, if the person has at least six (6) prior convictions for driving under the influence, as determined under § 55-10-405. The person shall serve one hundred percent (100%) of the sentence imposed by the court less sentence credits earned and retained; however, no sentence reduction credits authorized by § 41-21-236 or any other law shall operate to reduce the sentence imposed by the court by more than fifteen percent (15%).