

Amendment No. 1 to HB1852

Curcio
Signature of Sponsor

AMEND Senate Bill No. 2743

House Bill No. 1852*

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

SECTION 1. Tennessee Code Annotated, Section 37-1-116(j), is amended by adding the following new subdivision:

(5) Upon a security breach at a secure detention or correctional facility designated, operated, or approved by the court for confinement of juveniles, the on-site facility supervisor-in-charge shall immediately report the security breach to the department of children's services and the chief law enforcement officer of the county in which the facility is located. The report shall include the facts of the security breach, the time when the breach occurred, and the circumstances under which the breach occurred, together with the particular description of any person involved in the breach, including the person's age, size, complexion, race, and color of hair and eyes. As used in this subdivision (j)(5), "security breach" means entry into a secure detention or correctional facility by an adult or child who is not authorized to do so. An on-site facility supervisor-in-charge who fails to comply with the reporting requirement of this subdivision (j)(5) may be charged with the offense of permitting or facilitating escape under § 39-16-607.

SECTION 2. Tennessee Code Annotated, Section 37-1-116(j)(4), is amended by deleting the language "appropriate facility or departmental official" and substituting instead "on-site facility supervisor-in-charge", deleting the language "report the escape to" and substituting instead "report the escape to the department of children's services and", and adding the following language at the end of the subdivision:

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An on-site facility supervisor-in-charge who fails to comply with the reporting requirement of this subdivision (j)(4) may be charged with the offense of permitting or facilitating escape under § 39-16-607.

SECTION 3. Tennessee Code Annotated, Section 37-5-105(4), is amended by adding the following new subdivision:

(C) The annual report shall contain information about any escape, attempted escape, security breach, as defined in § 37-1-116(j)(5), or attempted security breach that has occurred in the previous calendar year at a secure detention or correctional facility designated, operated, or approved by a juvenile court for confinement of juveniles. The information shall include the facts of the escape, security breach, or attempt, the time when the escape, breach, or attempt occurred, and the circumstances under which the escape, breach, or attempt occurred.

SECTION 4. This act shall take effect July 1, 2020, the public welfare requiring it.