

Amendment No. 1 to HB2339

Curcio
Signature of Sponsor

AMEND Senate Bill No. 2257*

House Bill No. 2339

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

SECTION 1. Tennessee Code Annotated, Section 40-28-116, is amended by adding the following language as new subsection (c):

(c)

(1) There is a presumption that a prisoner, who reaches the release eligibility date for the prisoner's combined state sentences and has an active detainer commitment to serve a term of imprisonment in a foreign jurisdiction, shall, unless good cause is shown to deny release, be granted parole in order to begin service of the term of imprisonment in the foreign jurisdiction if:

(A) The term of imprisonment in the foreign jurisdiction is greater than the period of imprisonment left to serve on the prisoner's combined state sentences;

(B) The prisoner would be otherwise eligible for parole consideration; and

(C) The prisoner is a good candidate for parole release upon application of any release decision-making guidelines in use by the board.

(2) When a prisoner has a parole hearing, it is the responsibility of the department of correction to provide information to the board regarding filed active detainer commitments in which the prisoner is to serve a term of imprisonment.

(3) If parole release is granted to a detainer in a foreign jurisdiction, it is the responsibility of the entity having custodial authority over the prisoner prior to

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parole release to file a notification request with the foreign jurisdiction for the remainder of any Tennessee sentence.

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