

Amendment No. 2 to HB1577

**Hardaway
Signature of Sponsor**

AMEND Senate Bill No. 2447

House Bill No. 1577*

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

SECTION 1. Tennessee Code Annotated, Section 40-11-152, is amended by adding the following new subsections:

() If the magistrate determines that the use of a global positioning monitoring system is an appropriate condition of release, the magistrate may order such use in lieu of requiring bail for the defendant.

()

(1) When arresting a person for any of the following offenses, the arresting officer shall ask the victim if the victim requests that the defendant carry or wear a global positioning monitoring system device if the defendant is released on bond, and the arresting officer shall enter the victim's response on the affidavit of complaint:

(A) Stalking, aggravated stalking, or especially aggravated stalking, as defined in § 39-17-315;

(B) Any criminal offense defined in title 39, chapter 13, in which the alleged victim of the offense is a victim as defined in § 36-3-601(5), (10), or (11); and

(C) A violation of an order of protection as authorized by title 36, chapter 3, part 6.

(2) A magistrate setting bond for any offense described in subdivision () (1) shall consider the victim's request that the defendant carry or wear a global

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positioning monitoring system device in determining the defendant's conditions of bond.

SECTION 2. Tennessee Code Annotated, Section 40-11-152(c), is amended by deleting the subsection and substituting instead the following:

The defendant's presence in a location in which the magistrate prohibited the defendant going to or near is a violation of the conditions of bond and may result in revocation of the defendant's bond.

SECTION 3. This act shall take effect October 1, 2020, the public welfare requiring it.