

AMENDMENT NO. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1746 House Bill No. 1764

by deleting subsection (a)(1) of the amendatory language of SECTION 1 and substituting instead the following:

(1) A premeditated and intentional killing of another;

FURTHER AMEND by adding the following new subsection (d) to the amendatory language of SECTION 1:

(d) As used in subsection (a)(1) of this section "premeditation" is an act done after the exercise of reflection and judgment. Premeditation means that the intent to kill must have been formed prior to the act itself. It is not necessary that the purpose to kill pre-exist in the mind of the accused for any definite period of time. The mental state of the accused at the time the accused allegedly decided to kill must be carefully considered in order to determine whether the accused was sufficiently free from excitement and passion as to be capable of premeditation.

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

Section ____ Tennessee Code Annotated, Section 39-13-201, is amended by deleting subsection (b) in its entirety.