

a*40

AN ACT to amend Tennessee Code Annotated, Title 40, relative to the time within which criminal trials are commenced.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 35, Part 1, is amended by adding the following new sections:

Section____.

(a) Unless a defendant is charged as a repeat violent offender pursuant to Tennessee Code Annotated, Section 40-35-120, or with murder in the first degree, such defendant shall be tried on any other criminal charge within a period of one hundred twenty (120) days from the date of arraignment on the indictment pursuant to Rule 10 of the Rules of Criminal Procedure. Such time period shall not apply if it cannot be complied with because of delay caused by:

- (1) The defendant;
- (2) An examination of the defendant's competency;
- (3) An adjudication that the defendant is incompetent to stand trial;
- (4) A continuance allowed after a court's determination of the defendant's physical incapacity for a trial; or
- (5) An interlocutory appeal.

(b) A continuance may be granted to any party, including the court, for good cause shown.

00235671

SECTION 2. This act shall take effect October 1, 1995, the public welfare requiring it and shall apply to any person committing a criminal offense on or after such date.