

Filed for intro on 02/15/95
Senate Bill _____
By

House No. HB1200
By Newton

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11, relative to defenses to criminal prosecutions.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 11, Part 5, is amended by adding the following as a new section:

Section 39-11-__.

(a) A defendant's genetic predisposition towards or familial history of violence or criminal conduct is not a defense to prosecution for an offense, and evidence of either is inadmissible for such purpose.

(b) Nothing in subsection (a) may be construed as prohibiting the state from introducing evidence of a defendant's prior act of violence or criminal conduct if such evidence is otherwise admissible under the Tennessee rules of evidence.

SECTION 2. Tennessee Code Annotated, Section 39-11-611(a), is amended by deleting the period at the end of the second sentence and adding the following language:

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, but a prior history of violence by the other person, without any other factors, does not constitute imminent danger of death or serious bodily injury so as to make the use of force immediately necessary.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

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