

HOUSE BILL 241

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 10, Chapter 7, Part 5; Title 36; Title 37; Title 38; Title 39; Title 40 and Title 41, relative to witnesses.

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

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 6, is amended by adding the following as a new part:

38-6-301.

There is established the Tennessee witness protection and relocation grant pilot program.

38-6-302.

(a) The attorney general and reporter shall administer the pilot program.

(b) The purpose of the pilot program is to invest in local agencies and community programs that provide witness protection, relocation, and assistance services to witnesses in criminal proceedings.

38-6-303.

(a) The attorney general and reporter shall award grants from the pilot program on a competitive basis to local governments that provide witness protection, relocation, and assistance services. Any grant provided shall not be in an amount greater than the amount the local government has expended for witness protection, relocation, and assistance services. Grant recipients may use funds to provide witnesses with any of the following:

(1) Armed protection or escort by law enforcement officials or security personnel before, during, or subsequent to legal proceedings;

- (2) Physical relocation to an alternate residence;
- (3) Housing expenses;
- (4) Appropriate documents to establish a new identity, including documentation created in coordination with federal authorities;
- (5) Transportation or storage of personal possessions;
- (6) Basic living expenses, including food, transportation, utility costs, and health care;
- (7) Support, advocacy, and other services to provide for the safe transition of witnesses into a new environment; or
- (8) Other services as needed and approved by the attorney general and reporter.

(b) The attorney general and reporter shall issue appropriate guidelines to implement this chapter. The guidelines must include a process by which local governments may apply for grants.

(c) Information relating to a witness participating in a program receiving funds from the pilot program established by this chapter is confidential and not subject to disclosure under the open records law, compiled in title 10, chapter 7.

(d) To assist in the implementation of this chapter, the attorney general and reporter may solicit and receive grants, donations, and private funding.

(e) Program funds remaining unspent at the end of a fiscal year must be carried over into the budget of the program for the subsequent fiscal year, and must continue to be carried over from year to year until expended for the purposes prescribed in this part.

SECTION 2. This act is not an appropriation of funds, and funds shall not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. For administrative and budgetary purposes, this act takes effect July 1, 2023, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2024, the public welfare requiring it.