

HOUSE BILL 1323

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 39;
Title 40 and Title 55, Chapter 10, Part 4, relative to
criminal procedure.

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

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

() When arresting a person for an offense described in subsection (b), the arresting officer shall provide the alleged victim with a document prepared by the administrative office of the courts that notifies the alleged victim of the following regarding the global positioning monitoring system:

(1) When considering bail, the magistrate may order the person who is arrested to carry or wear a global position monitoring system device;

(2) The victim's right to participate in a global positioning monitoring system or to refuse to participate in the system and the procedure for requesting the magistrate to terminate the victim's participation;

(3) The manner in which the global positioning monitoring system technology functions and the risks and limitations of that technology, and the extent to which the system will track and record the victim's location and movements;

(4) The victim's right to provide the magistrate with a list of areas from which the victim would like the defendant excluded from going to or near;

(5) The fact that the victim's communications with the magistrate concerning the global positioning monitoring system and any restrictions to be imposed on the defendant's movements are not confidential; and

(6) Any other information that the administrative office of the courts finds necessary to properly inform an alleged victim about the global positioning monitoring system.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.