



State of Tennessee

PUBLIC CHAPTER NO. 501

SENATE BILL NO. 1231

By Rose, Haile, Kyle

Substituted for: House Bill No. 1339

By Ogles, Curcio, Hardaway, Littleton, Alexander, Cepicky

AN ACT to amend Tennessee Code Annotated, Title 24; Title 39; Title 40 and Title 55, relative to witness testimony.

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

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 17, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Forensic analyst" means an expert in the scientific detection of crime; and

(2) "Remote testimony" means any method by which a forensic analyst testifies from a location other than the location where the hearing or trial is being conducted and outside the physical presence of a party or parties.

(b) The court may permit remote testimony by a forensic analyst in any criminal proceeding only if:

(1) The state has provided a copy of any report produced by the forensic analyst that the state is seeking to admit into evidence through remote testimony to the defendant at least fifteen (15) days prior to the proceeding;

(2) The defendant agrees to permit remote testimony;

(3) The court finds that the defendant's agreement was knowing and voluntary; and


(4) The court and the state agree to permit remote testimony.

(c) Any remote testimony conducted under this section must allow all parties to observe the demeanor of the analyst as the analyst testifies in a similar manner as if the analyst were testifying in the location where the hearing or trial is being conducted. The court shall ensure that the defendant has a full and fair opportunity for examination and cross-examination of the analyst.

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

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PASSED: May 4, 2021


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 25th day of May 2021


BILL LEE, GOVERNOR