

HOUSE BILL 1360

By Farmer

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 11, relative to the release of defendants.

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

SECTION 1. Tennessee Code Annotated, Section 40-11-115, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding this section or another law to the contrary, a person charged with a Class A or B felony offense shall not be released on their own recognizance without the approval of a general sessions judge, criminal court judge, or circuit court judge having jurisdiction over the current charges.

SECTION 2. Tennessee Code Annotated, Section 40-11-116, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding this section or another law to the contrary, a person charged with a Class A or B felony shall not be released pursuant to subdivision (b)(1) without the approval of a general sessions judge, criminal court judge, or circuit court judge having jurisdiction over the current charges.

SECTION 3. Tennessee Code Annotated, Section 40-11-148(a), is amended by deleting the existing language and substituting instead the following:

(a) When a defendant has been released pursuant to § 40-11-115 or § 40-11-116, or admitted to and released on bail for a criminal offense, whether prior to or during trial or pending appeal, and the defendant is charged with the commission of one (1) or more bailable offenses while released, the defendant shall only be released pursuant to § 40-11-118 or § 40-11-122, and the magistrate or judge shall set the defendant's bail on

each new offense in an amount not less than twice that which is customarily set for the offense charged.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.