

HOUSE BILL 1496

By Clemmons

AN ACT to amend Tennessee Code Annotated, Title 40,
relative to global positioning monitoring.

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

SECTION 1. Tennessee Code Annotated, Section 40-11-150(b), is amended by redesignating the subsection as subdivision (b)(1) and adding the following new subdivision:

(2) The magistrate shall order the defendant to carry or wear a global positioning monitoring system device and, if able, pay the costs associated with operating that device and electronic receptor device provided to the victim, pursuant to § 40-11-152, if:

(A) The magistrate finds the global positioning monitoring system device and receptor device are needed to protect the victim and to ensure the appearance of the defendant at a subsequent court proceeding;

(B) The defendant was arrested for a criminal offense defined in title 39, chapter 13, in which the alleged victim of the offense is a domestic abuse victim as defined in § 36-3-601, or a violation of an order of protection as authorized by title 36, chapter 3, part 6;

(C) The alleged offense or violation involved the strangulation or attempted strangulation of the victim or the use or threatened use of a firearm against the victim; and

(D) A global positioning monitoring system is available in the jurisdiction.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.