

HOUSE BILL 1890

By Turner J

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 13; Title 39, Chapter 14 and Title 40,  
relative to criminal offenses and sentencing.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-402, is amended by deleting subsection (b) and by substituting instead the following:

(b)

(1) Aggravated robbery is a Class B felony.

(2) A person who is guilty of aggravated robbery must serve an actual period of incarceration equal to not less than fifty percent (50%) of the sentence imposed.

(3) A person who is guilty of aggravated robbery shall not be eligible for probation pursuant to § 40-35-303, or any other program whereby the person is permitted supervised or unsupervised release into the community, until the person has served not less than the minimum period of incarceration required by subdivision (b)(2).

SECTION 2. Tennessee Code Annotated, Section 39-14-105, is amended by designating the current language as subsection "(a)" and by adding the following new language, to be designated as subsection "(b)":

(b)

(1) A person who is guilty of theft of property or services valued at sixty thousand dollars (\$60,000) or more must serve an actual period of incarceration equal to not less than fifty percent (50%) of the sentence imposed.

(2) A person who is guilty of theft of property or services valued at sixty thousand dollars (\$60,000) or more shall not be eligible for probation pursuant to § 40-35-303, or any other program whereby the person is permitted supervised or unsupervised release into the community, until the person has served not less than the minimum period of incarceration required by subdivision (b)(1).

SECTION 3. Tennessee Code Annotated, Section 39-14-404, is amended by deleting subsection (c) and by substituting instead the following:

(c)

(1) Especially aggravated burglary is a Class B felony.

(2) A person who is guilty of especially aggravated burglary must serve an actual period of incarceration equal to not less than fifty percent (50%) of the sentence imposed.

(3) A person who is guilty of especially aggravated burglary shall not be eligible for probation pursuant to § 40-35-303, or any other program whereby the person is permitted supervised or unsupervised release into the community, until the person has served not less than the minimum period of incarceration required by subdivision (b)(2).

SECTION 4. This act shall take effect July 1, 2009, the public welfare requiring it, and shall apply to offenses committed on or after such date.