

HOUSE BILL 2377

By Faison

AN ACT to amend Tennessee Code Annotated, Title 24;
Title 39 and Title 40, relative to preservation of
biological evidence.

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

SECTION 1. Tennessee Code Annotated, Section 40-35-321, is amended by adding the following language as a new subsection:

(f)

(1) All biological evidence collected for a case that results in the defendant being sentenced to death shall be preserved until the defendant is executed or until the completion of the defendant's sentence.

(2) The intentional destruction of such evidence prior to the defendant's execution or other completion of sentence may result in appropriate relief or sanctions in the discretion of the court, including, but not limited to, criminal contempt for a knowing violation.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.