

HOUSE BILL 2790

By Littleton

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

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

SECTION 1. Tennessee Code Annotated, Section 40-11-118(g), is amended by
deleting the subsection and substituting:

(g)

(1) If a person is required as a condition of bond to submit to transdermal
monitoring, global positioning monitoring, as defined in § 40-11-152, or other alternative
monitoring, it is a Class B misdemeanor:

(A) For that person to knowingly tamper with, remove, or vandalize the
monitoring device; or

(B) For any person to knowingly aid, abet, or assist the person in
tampering with, removing, or vandalizing a monitoring device.

(2) If an entity monitoring the device becomes aware that there has been an
attempt to either tamper with, disable, remove, or otherwise make the device ineffective,
or if the bonding agent becomes aware the person has violated any bond condition
ordered by the court, then the entity monitoring the device shall promptly give notice of
the violation to the court with jurisdiction over the person and the surety of the person's
bail bond.

(3) The court shall take such action as the case may require, including, but not
limited to, the revocation of bail. Additionally, the violation also constitutes grounds for
surrender under § 40-11-132.

SECTION 2. Tennessee Code Annotated, Section 40-28-117, is amended by adding the following new subsection:

(c)

(1) If a prisoner released on parole is required as a condition of parole to submit to transdermal monitoring or other alternative monitoring, it is a Class B misdemeanor:

(A) For the prisoner to knowingly tamper with, remove, or vandalize the monitoring device; or

(B) For any person to knowingly aid, abet, or assist the prisoner in tampering with, removing, or vandalizing a monitoring device.

(2) If an entity monitoring the device becomes aware that there has been an attempt to either tamper with, disable, remove, or otherwise make the device ineffective, or if the bonding agent becomes aware the prisoner has violated any condition of parole, then the entity monitoring the device must promptly give notice of the violation to the board.

SECTION 3. Tennessee Code Annotated, Section 40-35-303, is amended by adding the following new section:

(q)

(1) If an offender is required as a condition of probation to submit to transdermal monitoring or other alternative monitoring, it is a Class B misdemeanor:

(A) For the offender to knowingly tamper with, remove, or vandalize the monitoring device; or

(B) For any person to knowingly aid, abet, or assist the offender in tampering with, removing, or vandalizing a monitoring device.

(2) If an entity monitoring the device becomes aware that there has been an attempt to either tamper with, disable, remove, or otherwise make the device ineffective,

or if the bonding agent becomes aware the offender has violated any bond condition ordered by the court, then the entity monitoring the device shall promptly give notice of the violation to the offender's probation officer.

SECTION 4. This act takes effect July 1, 2024, the public welfare requiring it.