

HOUSE BILL 2806

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 10, Chapter 7, Part 5; Title 36; Title 37; Title 38; Title 39; Title 40 and Title 41, relative to witnesses.

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

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 6, is amended by adding the following as a new part:

38-6-301.

There is established the Tennessee witness protection and relocation grant pilot program.

38-6-302.

(a) The department of finance and administration's office of criminal justice programs shall administer the pilot program.

(b) The purpose of the pilot program is to invest in local agencies and community programs that provide witness protection, relocation, and assistance services.

38-6-303.

(a) The office shall award grants from the pilot program on a competitive basis to municipalities, law enforcement agencies, and nonprofit organizations that provide witness protection, relocation, and assistance services. Grant recipients may use funds to provide witnesses with any of the following:

(1) Armed protection or escort by law enforcement officials or security personnel before, during, or subsequent to legal proceedings;

(2) Physical relocation to an alternate residence;

(3) Housing expenses;

(4) Appropriate documents to establish a new identity, including documentation created in coordination with federal authorities;

(5) Transportation or storage of personal possessions;

(6) Basic living expenses, including food, transportation, utility costs, and health care;

(7) Support, advocacy, and other services to provide for the safe transition of witnesses into a new environment; or

(8) Other services as needed and approved by the office.

(b) The office shall issue appropriate guidelines and may promulgate rules to implement this chapter. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. The guidelines must include a process by which municipalities, law enforcement agencies, and nonprofit organizations may apply for grants.

(c) Information relating to a witness participating in a program receiving funds from the pilot program established by this chapter is confidential and not subject to disclosure under the open records law, compiled in title 10, chapter 7.

(d) To assist in the implementation of this chapter, the office may solicit and receive grants, donations, and private funding.

(e) Program funds remaining unspent at the end of a fiscal year must be carried over into the budget of the program for the subsequent fiscal year, and must continue to be carried over from year to year until expended for the purposes prescribed in this chapter.

SECTION 2. This act is not an appropriation of funds, and funds shall not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. For administrative and budgetary purposes, this bill takes effect July 1, 2022, the public welfare requiring it. For all other purposes, this bill takes effect January 1, 2023, the public welfare requiring it.