

HOUSE BILL 7004

By Lamberth

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 8 and Title 33, relative to release from certain facilities.

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

SECTION 1. Tennessee Code Annotated, Section 33-6-417, is amended by deleting the first sentence and substituting:

If the defendant is released under § 33-6-705 or this part before the § 33-6-422 hearing, the chief officer shall notify the court that ordered the defendant's emergency diagnosis, evaluation, and treatment and, if applicable, the law enforcement agency that transported the person pursuant to title 33, chapter 6, part 9.

SECTION 2. Tennessee Code Annotated, Section 33-6-423, is amended by redesignating the section as subsection (a) and adding the following:

(b) If the court orders the release of the defendant under subsection (a), the court shall notify the law enforcement agency that transported the person pursuant to title 33, chapter 6, part 9 of the defendant's release.

SECTION 3. Tennessee Code Annotated, Section 33-6-424, is amended by redesignating the section as subsection (a) and adding the following:

(b) If the chief officer releases the defendant under subsection (a), the chief officer shall notify the law enforcement agency that transported the person pursuant to title 33, chapter 6, part 9 of the defendant's release.

SECTION 4. Tennessee Code Annotated, Section 33-6-703, is amended by deleting the first sentence and substituting:

If, after considering the reports of the physicians and other relevant information, the chief officer determines that the person is eligible for discharge under § 33-6-602, § 33-6-705, or § 33-6-706 and that the discharge is not subject to judicial review under § 33-6-708, the chief officer shall order the immediate release of the person and notify the committing court and, if applicable, the law enforcement agency that transported the person pursuant to title 33, chapter 6, part 9.

SECTION 5. Tennessee Code Annotated, Section 33-6-708(c), is amended by deleting the sentence "The clerk shall send a copy of that complete notice and plan to the person's counsel and to the district attorney general for the jurisdiction in which the committing court is located." and substituting:

The clerk shall send a copy of that complete notice and plan to the person's counsel, the district attorney general for the jurisdiction in which the committing court is located, and, if applicable, the law enforcement agency that transported the person pursuant to title 33, chapter 6, part 9.

SECTION 6. This act takes effect October 1, 2023, the public welfare requiring it.