

SENATE BILL 642

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 11, relative to bail.

WHEREAS, Tennessee's Constitution's Declaration of Rights in Article I, Section 15, guarantees each citizen of the State the right to bail pending trial except for capital offenses when the proof is evident or the presumption great; and

WHEREAS, the Tennessee Court of Criminal Appeals in the case of *State of Tennessee v. Latikia Tashay Burgins*, 2014 Tenn. Crim. App. LEXIS 1089, ruled Tennessee Code Annotated, Section 40-11-141(b), is unconstitutional; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 40-11-141, is amended by deleting subsection (b) in its entirety and redesignating the remaining subsection appropriately.

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