

SENATE BILL 677

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 15, Part 4 and Title 40, Chapter 11, Part 1, relative to release of offenders accused of certain offenses against children.

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

SECTION 1. Tennessee Code Annotated, Section 40-11-150, is amended by adding the following as a new, appropriately designated subsection:

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(1) Any offender arrested for the offense of child abuse, child neglect, or child endangerment, as defined in § 39-15-401, or aggravated child abuse, aggravated child neglect, or aggravated child endangerment, as defined in § 39-15-402, shall not be released within twelve (12) hours of arrest if the magistrate or other official duly authorized to release the offender finds that the offender is a threat to the alleged victim. The official may, however, release the accused in less than twelve (12) hours if the official determines that sufficient time has or will have elapsed for the victim to be protected.

(2) The written findings must be attached to the warrant and shall be preserved as a permanent part of the record. The arresting officer shall make official note of the time of the arrest in order to establish the beginning of the twelve-hour period provided for in this subsection.

SECTION 2. Tennessee Code Annotated, Section 40-11-150(a), is amended by adding the following immediately after the language "a defendant who is arrested for":

the offense of child abuse, child neglect, or child endangerment, as defined in § 39-15-401, the offense of aggravated child abuse, aggravated child neglect, or aggravated child endangerment, as defined in § 39-15-402,

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.