

SENATE BILL 1479

By Ford, O.

AN ACT to amend Tennessee Code Annotated, Section 39-13-113, relative to restraining orders.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-113, is amended by deleting subsection (g) in its entirety and substituting instead the following:

(g)

(1) A violation of this section is, unless otherwise stated, a Class A misdemeanor. Upon conviction of the first offense, the minimum period of confinement shall be thirty (30) days. Upon conviction of the second offense, the minimum period of confinement shall be ninety (90) days. Upon conviction of the third offense, the minimum period of confinement shall be six (6) months. The fourth or subsequent conviction shall be a Class E felony with a minimum period of confinement of one (1) year.

(2) Any sentence imposed shall be served consecutively to the sentence for any other offense that is based in whole or in part on the same factual allegations, unless the sentencing judge or magistrate specifically orders the sentences for the offenses arising out of the same facts to be served concurrently.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.