



State of Tennessee

PUBLIC CHAPTER NO. 760

HOUSE BILL NO. 2728

By Representatives Faison, Greg Martin, Davis, Russell, Towns, Camper

Substituted for: Senate Bill No. 2495

By Senator Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 40, relative to probation.

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

SECTION 1. Tennessee Code Annotated, Section 40-35-303, is amended by adding the following as a new subsection:

(q)

(1) A probation officer shall set any required meetings at times and locations that reasonably accommodate the work schedule of the probationer. Upon approval from the department of correction, the probation officer may utilize a technology portal that allows communication between the probationer and the probation officer to occur in real time by voice and video in place of an in-person meeting between the probationer and the probation officer.

(2) The department shall promulgate rules governing a defendant's eligibility for video reporting. Rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and must include:

(A) Minimum standards and guidelines for the authorized technology;

(B) Minimum standards and guidelines for how the technology may be used; and

(C) Standards for determining the eligibility and suitability of a defendant to meet reporting requirements through the use of such technology.

(3) The eligibility and suitability standards under subdivision (q)(2)(C) must include consideration of the severity of the defendant's underlying criminal conviction and the defendant's criminal history, supervision level, and past supervision history.

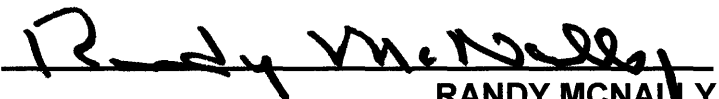
SECTION 2. For purposes of promulgating rules, forms, and establishing policies and procedures, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2024, the public welfare requiring it.

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PASSED: April 1, 2024




CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 22nd day of April 2024



BILL LEE, GOVERNOR