

SENATE BILL 2985

By Stewart

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to criminal gangs.

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

SECTION 1. Tennessee Code Annotated, Title 40, is amended by adding the following
new chapter thereto:

§ 40-40-101.

This chapter shall be known and may be cited as the “Tennessee
Criminal Gang Registration Act of 2010.”

§ 40-40-102.

(a) There is created within the Tennessee bureau of investigation a
criminal gang offender registry of persons who receive an enhanced punishment
pursuant to § 40-35-121 for a criminal gang offense as defined in § 40-35-121(a).

(b) In order to qualify for inclusion on the Tennessee criminal gang
registry, the offender’s conviction for a criminal gang offense as defined in § 40-
35-121(a) and subject to enhancement pursuant to § 40-35-121 must be for a
violation that occurred on or after January 1, 2011.

§ 40-40-103.

The registry established pursuant to this chapter shall be maintained by
the Tennessee bureau of investigation. The registry shall be made available for
public inquiry on the Internet at the respective web site of the bureau.

§ 40-40-104.

The registry established pursuant to this chapter shall consist of the
offender’s name, date of birth, residential address, county and state of

convictions, a photograph of such offender, and such other identifying data as the Tennessee bureau of investigation determines is necessary for the public to properly identify the offender, but shall not include the offender's social security number.

§ 40-40-105.

(a)

(1) In addition to any other fine, fee, penalty or other punishment, there is assessed a separate criminal gang member fee of twenty dollars (\$20.00) upon any offender who received an enhanced punishment pursuant to § 40-35-121.

(2) The criminal gang offender registry fee imposed pursuant to subdivision (a)(1) shall be assessed and collected upon the offender's enhancement and shall be transmitted to the state general fund for appropriation to the Tennessee bureau of investigation to implement and administer the criminal gang offender registry created by this chapter.

SECTION 2. For the purposes of the Tennessee bureau of investigation implementing the criminal gang offender registry, this act shall take effect upon becoming law, the public welfare requiring it. For all other purposes, it shall take effect on January 1, 2011, the public welfare requiring it.