

SENATE BILL 3196

By Finney L

AN ACT to amend Tennessee Code Annotated, Title 40,  
Chapter 30, relative to post-conviction procedure.

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

SECTION 1. Tennessee Code Annotated, Section 40-30-106(f), is amended by designating the existing language as subdivision (1), and is further amended by adding the following language as subdivision (2):

(2) Notwithstanding subdivision (f)(1), the petitioner shall not be permitted to raise any issue that could have been raised at trial, on appeal, or could have been made as a complaint to the court at or prior to the plea proceeding if:

(A) The petitioner entered a guilty plea or other plea agreement with the state;

(B) The court, in accepting the plea, complied with rule 11 of the Tennessee Rules of Criminal Procedure by advising petitioner of petitioner's rights;

(C) The petitioner assured the court that the petitioner understood those rights;

(D) The petitioner assured the court that the petitioner was satisfied with petitioner's attorney; and

(E) The petitioner assured the court that the petitioner wanted to accept the plea agreement.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.