

SENATE BILL 3347

By Kyle

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

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

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 15, Part 1, is amended by deleting the part in its entirety.

SECTION 2. Code Annotated, Section 40-35-313(a)(1)(B)(i)(b) is amended by deleting the subdivision in its entirety and substituting instead the following:

(b) Is not seeking deferral of further proceedings for a sexual offense, a violation of § 71-6-117 or § 71-6-119, driving under the influence of an intoxicant, as prohibited by § 55-10-401, or a Class A or Class B felony; and

SECTION 3. Code Annotated, Section 40-35-313(a)(1)(B)(i)(c) is amended by deleting the subdivision in its entirety and substituting instead the following:

(c) Has not previously been convicted of a felony or a Class A misdemeanor for which a sentence of confinement is served; and

SECTION 4. Code Annotated, Section 40-35-313(a)(1)(B)(i) is amended by adding the following as a new subdivision:

(d) Has not previously been granted judicial diversion under the provisions of this chapter or pretrial diversion under the provisions of title 40, chapter 15, part 1.

SECTION 5. This act shall take effect July 1, 2010, the public welfare requiring it.