

SENATE BILL 215

By Lundberg

AN ACT to amend Tennessee Code Annotated, Title 40
and Title 41, relative to inmates.

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

SECTION 1. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following as a new subsection:

Notwithstanding this section, a defendant sentenced under this chapter shall be authorized to earn and retain any sentence reduction credits authorized by § 41-21-236 or any other provision of law relating to sentence reduction credits. However, no sentence reduction credits earned or retained by a defendant sentenced for committing a Class A, B, or C felony against a person under title 39, chapter 13, shall operate to permit the defendant's release on parole, probation, or community correction supervision until the defendant has served the applicable percentage of the actual sentence imposed, as specified in subsections (b)-(f) and without consideration of sentence credits earned and retained by the defendant. Any sentence reduction credits earned and retained during that time shall be credited towards the defendant's expiration of sentence.

SECTION 2. Tennessee Code Annotated, Section 40-35-503, is amended by adding the following as a new subsection:

Notwithstanding subsection (b), there is a presumption that an inmate convicted of a Class E or Class D nonviolent felony offense, as defined in § 40-36-102, is to be released on parole upon the inmate reaching the inmate's release eligibility date unless good cause is shown as to why the inmate should not be released.

SECTION 3. Section 1 of this act shall take effect July 1, 2019, the public welfare requiring it, and shall apply to offenses committed on or after that date. Section 2 of this act shall take effect upon becoming a law, the public welfare requiring it.