

Amendment No. 1 to SB0221

Gardenhire  
Signature of Sponsor

**AMEND Senate Bill No. 221**

**House Bill No. 34\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 37-1-133, is amended by deleting subsection (b) and substituting:

(b) The disposition of a child and evidence adduced in a hearing in juvenile court must not be used against such child in any proceeding in any court other than a juvenile court, whether before or after reaching majority, except in:

- (1) Pretrial reports used to set bonds, if the juvenile court adjudication occurred within the previous five (5) years;
- (2) Dispositional proceedings after conviction of a felony for the purposes of a presentence investigation and report;
- (3) A proceeding pursuant to § 39-17-1352; or
- (4) A criminal prosecution for a violation of the prohibition on purchasing or possessing firearms imposed under § 37-1-190.

SECTION 2. Tennessee Code Annotated, Section 37-1-153, is amended by deleting subdivision (a)(4) and substituting:

(4) A court and its probation and other officials or professional staff and the attorney for the defendant for use in pretrial reports used to set bonds, as authorized by § 37-1-133(b)(1), and preparing a presentence report in a criminal case in which the defendant is convicted and who prior thereto had been a party to the proceeding in juvenile court;

SECTION 3. Tennessee Code Annotated, Section 40-11-118, is amended by deleting subdivision (b)(7) and substituting:

(7) The defendant's prior juvenile court record, as authorized by § 37-1-133(b)(1), and prior criminal record and the likelihood that because of the records the defendant will pose a risk of danger to the community;

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.