

Amendment No. 1 to SB2415

Gardenhire  
Signature of Sponsor

**AMEND Senate Bill No. 2415**

**House Bill No. 2471\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 37-1-134(a)(1)(A)(iii)(b)(1), is amended by deleting the subdivision and substituting:

(1) Charged with the offense of robbery, a second or subsequent offense that meets the definition of a criminal gang offense, as defined in § 40-35-121, or an attempt to commit any such offense; or

SECTION 2. Tennessee Code Annotated, Section 37-1-134, is amended by deleting subsection (i) and substituting:

(i) When a child transferred under this section is detained, the juvenile court shall order confinement in a local juvenile detention facility or a juvenile detention facility with which it contracts, except that the juvenile court may order confinement in an adult detention facility separate and removed from adult detainees if the sheriff affirms to the court that the adult detention facility has the ability to comply with the requirements of § 37-1-116, and that the population of the adult detention facility does not exceed the capacity of the facility. The court having adult criminal jurisdiction may thereafter order detention in an adult detention facility separate and removed from adult detainees; provided, however, that during the period while such child is detained separately from adult detainees, the child must otherwise abide by the same regulations and policies governing conditions of imprisonment that apply to adult detainees who are charged with similar offenses. Similar regulations and policies governing educational opportunities for adults must be implemented for a child so detained, but such regulations and policies do

not affect or alter the manner in which a local education agency is required to provide educational services to a child under the federal Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

SECTION 3. This act takes effect July 1, 2024, the public welfare requiring it, and applies to conduct occurring on or after that date.