

HOUSE BILL 373

By Gillespie

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to probation.

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

SECTION 1. Tennessee Code Annotated, Section 40-35-303, is amended by deleting subsection (a) and substituting:

A defendant is eligible for probation under this chapter if the sentence actually imposed upon the defendant is ten (10) years or less; however, no defendant is eligible for probation under this chapter if convicted of a violation of § 39-13-102(a)(1)(A)(i) or (ii); § 39-13-102(a)(1)(A)(iii) if the offense involved the actual discharge of a firearm; § 39-13-213(a)(2); § 39-13-304; § 39-13-402; § 39-13-504; § 39-13-532; § 39-15-402; § 39-17-417(b) or (i); § 39-17-1003; § 39-17-1004; or § 39-17-1005. A defendant shall also be eligible for probation pursuant to § 40-36-106(e)(3).

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it, and applies to offenses committed on or after that date.