

HOUSE BILL 526

By Coley

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1, relative to certain domestic violence offenses.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-111, is amended by deleting subdivision (c)(1), adding the following new subdivisions and redesignating accordingly:

(1) A first, second or third conviction for domestic assault is punishable the same as assault in § 39-13-101.

(2) A fourth or subsequent conviction for domestic assault, violation of an order of protection as provided in § 39-13-113, or any combination thereof, is a Class E felony.

SECTION 2. Tennessee Code Annotated, Section 39-13-113, is amended by deleting subsection (g) and substituting instead the following:

(g)

(1) A first, second or third violation of this section is a Class A misdemeanor, and any sentence imposed shall be served consecutively to the sentence for any other offense that is based in whole or in part on the same factual allegations, unless the sentencing judge or magistrate specifically orders the sentences for the offenses arising out of the same facts to be served concurrently.

(2) A fourth or subsequent violation of this section, domestic assault as provided in § 39-13-111, or any combination thereof, is a Class E felony.

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it.