

HOUSE BILL 1174

By Todd

AN ACT to amend Tennessee Code Annotated, Title 16  
and Title 40, relative to misdemeanor sentencing.

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

SECTION 1. Tennessee Code Annotated, Title 16, Chapter 21, Part 1, is amended by adding the following as a new section:

Section 16-21-112.

(a) The council is requested to conduct a study of § 40-35-302, and other provisions of the criminal code dealing with misdemeanor sentencing. The study shall determine whether the present misdemeanor sentencing structure is sufficient to adequately deter and punish offenders who commit multiple misdemeanor offenses. Because these multiple offenses congest the criminal justice system and rarely result in any appreciable punishment, it gives the general public the impression that the justice system is lax and does not do enough to protect the victims from the loss and inconvenience caused by numerous petty offenses committed by the same defendant.

(b) The administrative office of the courts is authorized to assist the council in completing the study and report requested by this section.

(c) The council shall complete the study and report its findings, including any recommendations for necessary legislation, to the clerk of the house of representatives and the senate for distribution to the members by January 15, 2010.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.