

HOUSE BILL 1266

By Warner

AN ACT to amend Tennessee Code Annotated,  
Title 40, Chapter 6, relative to disclosure of stored  
wire or electronic communications.

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

SECTION 1. Tennessee Code Annotated, Section 40-6-109, is amended by deleting subsection (a) and substituting:

(a) A law enforcement officer, a district attorney general or the district attorney's designee, or the attorney general or the attorney general's designee may require the disclosure of stored wire or electronic communications, as well as transactional records pertaining to the communications, to the extent provided in a warrant issued by a judge in this state.

SECTION 2. Tennessee Code Annotated, Section 40-6-109(b), is amended by deleting the language "complies with the provisions for access to the communications as set forth by the laws of the United States" and substituting "presents a warrant issued by a judge in this state".

SECTION 3. Tennessee Code Annotated, Section 40-6-109, is amended by deleting subsection (d) in its entirety.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.