

HOUSE BILL 1318

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 38 and Title 40, Chapter 6, relative to
warrants.

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

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 6, Part 1, is amended by adding the following language as a new section:

(a) A complainant seeking a no-knock entry provision in a search warrant must have all facts supporting the warrant reviewed by the district attorney general for the judicial district in which the warrant will be executed prior to presenting any facts to a magistrate for issuance of a search warrant.

(b) The district attorney general shall review the facts for accuracy and exigent circumstances sufficient to justify a no-knock entry provision.

(c) As used in this section, "no-knock entry" means an entry made during the execution of a search warrant without knocking and announcing the person's authority and purpose.

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 6, Part 2, is amended by adding the following language as a new section:

(a) A complainant seeking a no-knock entry provision in an arrest warrant must have all facts supporting the warrant reviewed by the district attorney general for the judicial district in which the warrant will be issued prior to presenting any facts to a magistrate for issuance of an arrest warrant.

(b) The district attorney general shall review the facts for accuracy and exigent circumstances sufficient to justify a no-knock entry provision.

(c) As used in this section, "no-knock entry" means an entry made during the execution of an arrest warrant without knocking and announcing the person's authority and purpose.

SECTION 3. This act shall take effect July 1, 2021, the public welfare requiring it.