

HOUSE BILL 2782

By Hill

AN ACT to amend Tennessee Code Annotated, Title 36,
Chapter 3, Part 6, relative to orders of protection
and ex parte orders of protection.

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

SECTION 1. Tennessee Code Annotated, Section 36-3-605, is amended in subsection (b) by deleting the language "fifteen (15) days" wherever it may be found and by substituting instead the language "twenty-eight (28) days".

SECTION 2. Tennessee Code Annotated, Section 36-3-605, is amended by adding a new subsection thereto, as follows:

(e) If a law enforcement officer has probable cause to believe a person is a victim of domestic abuse, stalking or sexual assault, the officer shall make a complete report and file the report with the officer's supervisor. The officer's supervisor shall review the report and transmit to a magistrate or judge the information necessary for issuance of an order of protection. Upon good cause shown, a court may issue an ex parte order of protection pursuant to this subsection (e).

SECTION 3. Tennessee Code Annotated, Section 36-3-606, is amended by adding the following new subsection thereto:

(h) Notwithstanding the Ex Parte Order of Protection form set out in § 36-3-604, the provisions of § 36-3-605(b) relative to a hearing on an ex parte protection order shall also apply to and be incorporated into all ex parte order of protections granted on or after July 1, 2010. The language of § 36-3-605(b) may be appended to, or written or typed onto the Ex Part Order of Protection form until such time as the existing forms are changed to reflect the revised language.

SECTION 4. This act shall take effect July 1, 2010, the public welfare requiring it.