

SENATE BILL 289

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 11, relative to reporting of the release of criminal defendants.

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

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 11, Part 1, is amended by adding the following new section:

(a) Prior to the last day of each month, the clerk of each court with criminal jurisdiction shall provide to the administrative office of the courts, on a form provided by the administrative office of the courts for that purpose, the following statistical information for the prior month:

(1) A list of defendants cited or arrested the preceding month, categorized by offense, and the docket number assigned to each matter;

(2) The conditions set for the release of each defendant or a statement that a defendant is not eligible for release;

(3) A list of defendants that failed to appear at a scheduled court date during the prior month and, for each defendant:

(A) The method of release;

(B) The amount of bond required, if any; and

(C) The offense with which the defendant is charged;

(4) A list of defendants that remained in custody pending trial for more than ten (10) days during the prior month and, for each defendant:

(A) Whether the defendant has been released and the method of release;

(B) The amount of bond required, if any; and

(C) The offense with which the defendant is charged;

(5) A list of defendants who, having previously failed to appear at a scheduled court date, were returned to the jurisdiction of the court during the prior month and, for each defendant:

(A) The method of release;

(B) The amount of bond required, if any; and

(C) The offense with which the defendant is charged;

(6) A list of each defendant whose case was disposed of and the manner of disposition; and

(7) Any other arrest and release information that the administrative office of the courts deems relevant and necessary.

(b) The administrative office of the courts shall publish the statistical information on its website and shall prepare and transmit a summary report of the collected information to the judiciary committees of the senate and the house of representatives by June 30 of each year.

(c) A clerk of court who fails to timely report the statistical information required by this section is liable for an administrative fee of twenty-five dollars (\$25.00) per month for each unreported defendant.

SECTION 2. This act shall take effect on July 1, 2022, the public welfare requiring it.