

SENATE BILL 432

By Jackson

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13; Title 39, Chapter 14; Title 39, Chapter 15 and Title 39, Chapter 16, relative to criminal offenses.

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

SECTION 1. Tennessee Code Annotated, Section 39-16-201(b), is amended by deleting the subsection and substituting instead the following:

(b) It is unlawful for any person to:

(1) Knowingly and with unlawful intent take, send, or otherwise cause to be taken into any penal institution where prisoners are quartered or under custodial supervision any weapons, ammunition, explosives, intoxicants, legend drugs, or any controlled substances or controlled substance analogues found in chapter 17, part 4 of this title;

(2) Knowingly possess any of the materials prohibited in subdivision (b)(1) while present in any penal institution where prisoners are quartered or under custodial supervision without the express written consent of the chief administrator of the institution;

(3) Knowingly and with unlawful intent take, send, or otherwise cause to be taken into any penal institution where prisoners are quartered or under custodial supervision any telecommunications device; or

(4) Knowingly possess any telecommunications device while present in any penal institution where prisoners are quartered or under custodial supervision without the express written consent of the chief administrator of the institution.

SECTION 2. Tennessee Code Annotated, Section 39-16-201(c), is amended by deleting the subsection and substituting instead the following:

(c) A violation of subdivision (b)(1) or (b)(2) is a Class C felony. A violation of subdivision (b)(3) is a Class E felony. A violation of subdivision (b)(4) is a Class C felony if the device was used to violate or facilitate the violation of § 39-12-301, § 39-12-302, § 39-16-507, § 39-16-508, or § 39-16-605, or a felony offense under § 39-17-417.

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.