

SENATE BILL 1129

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 17, Part 4 and Title 40, Chapter 35,  
relative to sentencing for certain drug offenses.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-432(a), is amended by deleting the subsection and substituting instead the following:

(a) It is the intent of this section to create drug-free zones for the purpose of providing vulnerable persons in this state an environment in which they can learn, play, and enjoy themselves without the distractions and dangers that are incident to the occurrence of illegal drug activities. The mandatory enhanced offense classification required by this section for drug offenses occurring in a drug-free zone is necessary to serve as a deterrent to such unacceptable conduct.

SECTION 2. Tennessee Code Annotated, Section 39-17-432(b)(1), is amended by deleting the language "A violation of § 39-17-417, or a conspiracy to violate the section" and substituting instead the language "A violation of § 39-17-417".

SECTION 3. Tennessee Code Annotated, Section 39-17-432, is amended by deleting subsections (c), (d), (e), and (f) in their entireties.

SECTION 4. Tennessee Code Annotated, Section 39-17-432, is further amended by adding the following new subsection:

An offender convicted of violating this section prior to July 1, 2017, may elect to request the department of correction to recalculate the offender's release eligibility date to take into consideration the revisions made to this section by this act, and if

appropriate, may then request the board of parole for a release eligibility hearing as provided under the general law.

SECTION 5. This act shall take effect July 1, 2017, the public welfare requiring it.