

SENATE BILL 1707

By Overbey

AN ACT to amend Tennessee Code Annotated, Section 29-21-101, relative to habeas corpus claims.

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

SECTION 1. Tennessee Code Annotated, Section 29-21-101, is amended by designating the current language as subsection (a) and by inserting the following language immediately after the word "except":

in cases specified in subsection (b) of this part and

SECTION 2. Tennessee Code Annotated, Section 29-21-101, is further amended by adding the following as a new subsection thereto:

(b) Persons restrained of their liberty pursuant to a guilty plea and negotiated sentence are not entitled to the benefits of this writ on any claim that:

(1) The petitioner received concurrent sentencing where there was a statutory requirement for consecutive sentencing; or

(2) The petitioner's sentence included a release eligibility percentage where the petitioner was not entitled to any early release; or

(3) The petitioner's sentence included a lower release eligibility percentage than he was entitled to under statutory requirements.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it and shall apply to all habeas corpus petitions filed on or after that date.