

SENATE BILL 2312

By Kyle

AN ACT to amend Tennessee Code Annotated, Section 22-1-102; Title 39 and Title 40, relative to citizenship rights.

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

SECTION 1. Tennessee Code Annotated, Section 40-20-112, is amended by deleting the section in its entirety and substituting instead the following:

(a) Upon conviction for any violent felony, as defined by § 39-17-1363, it shall be the judgment of the court that the defendant be infamous and be immediately disqualified from exercising the right of suffrage. No person so convicted shall be disqualified to testify in any action, civil or criminal, by reason of having been convicted of an infamous crime, and the fact of conviction for any infamous crime may only be used as a reflection upon the person's credibility as a witness.

(b) A person who has been convicted of a felony offense prior to July 1, 2016, and rendered infamous shall remain infamous unless the person's rights of citizenship have been restored pursuant to title 40, chapter 29, regardless of whether the offense is no longer an infamous crime pursuant to subsection (a).

SECTION 2. Tennessee Code Annotated, Section 40-29-105(c), is amended by deleting the language "rendered infamous by virtue of being convicted of a felony" and substituting instead the language "rendered infamous by virtue of being convicted of an infamous crime".

SECTION 3. Tennessee Code Annotated, Section 40-29-106(a), is amended by deleting the language "When any nonviolent offender who was convicted of an infamous crime"

and substituting instead the language "When any nonviolent offender who was convicted of a crime that was infamous prior to the effective date of this act".

SECTION 4. Tennessee Code Annotated, Section 40-29-204, is amended by redesignating the current language as subsection (a) and adding the following new subsection:

(b) This section shall apply only to persons who were convicted of offenses that were infamous at the time of conviction.

SECTION 5. Tennessee Code Annotated, Section 22-1-102, is amended by deleting the language "a felony or any other infamous offense" and substituting instead the language "an infamous offense, as defined by § 40-20-112,".

SECTION 6. This act shall take effect July 1, 2016, the public welfare requiring it.