



State of Tennessee
PUBLIC CHAPTER NO. 889

HOUSE BILL NO. 2890

By Representatives Watson, Matheny, Favors, Hardaway, Towns, Shaw

Substituted for: Senate Bill No. 2697

By Senators Bell, Burks, Ford, Stewart

AN ACT to amend Tennessee Code Annotated, Title 16, Chapter 22, Part 1, relative to eligibility for the Drug Court Treatment Act of 2003.

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

SECTION 1. Tennessee Code Annotated, Section 16-22-103, is amended by deleting subdivision (4) in its entirety and substituting instead the following:

(4) "Violent offender" means a person who:

(A) Is convicted of an offense, during the course of which:

(i) The person carried, possessed or used a firearm or dangerous weapon;

(ii) There occurred the death of or serious bodily injury to any person; or

(iii) There occurred the use of force against the person of another;
or

(B) Has one (1) or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

(C) In determining whether a defendant is a "violent offender" under subdivision (A), it does not matter whether one (1) or more of the circumstances described in subdivision (4)(A)(i), (4)(A)(ii), or (4)(A)(iii) is or is not an element of the offense for which the person is convicted.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: APRIL 18, 2012



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 9th day of May 2012



BILL HASLAM, GOVERNOR