

Amendment No. 1 to SB1349

Gardenhire
Signature of Sponsor

AMEND Senate Bill No. 1349

House Bill No. 1444*

by adding the following as new, appropriately designated sections immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following as a new subsection:

(ee) Notwithstanding other provisions of this section to the contrary, there shall be no release eligibility for a person committing the offense of driving under the influence as a fifth, sixth, or subsequent offense, under § 55-10-402, on or after July 1, 2023. The person shall serve one hundred percent (100%) of the sentence imposed by the court undiminished by any sentence reduction credits the person may be eligible for or earn. The person shall be permitted to earn any credits for which the person is eligible, and the credits may be used for the purpose of increased privileges, reduced security classification, or for a purpose other than the reduction of the sentence imposed by the court.

SECTION __. Tennessee Code Annotated, Section 55-10-402(a)(5)(A), is amended by deleting the language "and shall be sentenced to serve not less than the minimum sentence of imprisonment established in subdivision (a)(4) for a fourth offender, and not more than the maximum punishment authorized for the appropriate range of a Class D felony".

SECTION __. Tennessee Code Annotated, Section 55-10-402(a)(6), is amended by deleting the language "and any person sentenced under this subdivision (a)(6) shall be sentenced to serve no less than the minimum sentence of imprisonment established in

subdivision (a)(4) for a fourth offender, and not more than the maximum punishment authorized for the appropriate range of a Class C felony".

AND FURTHER AMEND by deleting the language "upon becoming a law" in the effective date section and substituting instead the language "July 1, 2023".