

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 603

HOUSE BILL NO. 2193

**By Representatives John DeBerry, Fincher, Hardaway, Kelsey, Todd, Moore, Shipley, Watson, Hackworth, Yokley, Stewart, Bass, Pitts, Ty Cobb, Coleman**

Substituted for: Senate Bill No. 2115

By Senators Norris, Burks, Black, Yager

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 35, relative to prior convictions under the criminal sentencing reform act.

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

SECTION 1. Tennessee Code Annotated, Section 40-35-106, is amended by deleting subdivision (b)(4) and substituting instead the following:

(4) Except for convictions for which the statutory elements include serious bodily injury, bodily injury, threatened serious bodily injury, or threatened bodily injury to the victim or victims, or convictions for the offense of aggravated burglary under § 39-14-403, convictions for multiple felonies committed within the same twenty-four-hour period constitute one (1) conviction for the purpose of determining prior convictions; and

SECTION 2. Tennessee Code Annotated, Section 40-35-107, is amended by deleting subdivision (b)(4) and substituting instead the following:

(4) Except for convictions for which the statutory elements include serious bodily injury, bodily injury, threatened serious bodily injury, or threatened bodily injury to the victim or victims, or convictions for the offense of aggravated burglary under § 39-14-403, convictions for multiple felonies committed within the same twenty-four-hour period constitute one (1) conviction for the purpose of determining prior convictions; and

SECTION 3. Tennessee Code Annotated, Section 40-35-108, is amended by deleting subdivision (b)(4) and substituting instead the following:

(4) Except for convictions for which the statutory elements include serious bodily injury, bodily injury, threatened serious bodily injury, or threatened bodily injury to the victim or victims, or convictions for the offense of aggravated burglary under § 39-14-403, convictions for multiple felonies committed within the same twenty-four-hour period constitute one (1) conviction for the purpose of determining prior convictions; and

SECTION 4. This act shall take effect July 1, 2009, the public welfare requiring it and all convictions for the offense of aggravated burglary under § 39-14-403, occurring on or after such date shall count as prior convictions for the purposes enumerated in this act.

**PASSED: June 18, 2009**

  
KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

  
RON RAMSEY  
SPEAKER OF THE SENATE

**APPROVED this 8th day of July 2009**

  
PHIL BREDESEN, GOVERNOR