



State of Tennessee
PUBLIC CHAPTER NO. 461

SENATE BILL NO. 1064

By Burks

Substituted for: House Bill No. 1041

By Watson, Sexton, Shipley, Rich, Lamberth, Weaver, Hardaway, Parkinson, Faison, Lundberg, Curtis Johnson, Mark White, Shepard, Kevin Brooks, McCormick, Calfee, Roach, Carter, Hawk, Fitzhugh, Armstrong, Evans, Womick, Ryan Williams, Eldridge, Rogers

AN ACT to amend Tennessee Code Annotated, Titles 39 and 40, relative to criminal offenses and criminal procedure.

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

SECTION 1. Subdivisions (a)(1)(A)(ii) and (a)(1)(B)(ii) of Section 2 shall be known and may be cited as "Boomer's Law".

SECTION 2. Tennessee Code Annotated, Section 39-13-102, is amended by deleting subdivision (a)(1) and substituting instead the following:

(a)(1) A person commits aggravated assault who:

(A) Intentionally or knowingly commits an assault as defined in § 39-13-101, and the assault:

- (i) Results in serious bodily injury to another;
- (ii) Results in the death of another;
- (iii) Involved the use or display of a deadly weapon; or
- (iv) Was intended to cause bodily injury to another by strangulation or bodily injury by strangulation was attempted; or

(B) Recklessly commits an assault as defined in § 39-13-101(a)(1), and the assault:

- (i) Results in serious bodily injury to another;
- (ii) Results in the death of another; or
- (iii) Involved the use or display of a deadly weapon.

SECTION 3. Tennessee Code Annotated, Section 39-13-102, is amended by deleting subdivision (e)(1) and substituting instead the following:

(e)(1)(A) Aggravated assault under:

- (i) Subsection (d) is a Class A misdemeanor;
- (ii) Subdivision (a)(1)(A)(i), (iii), or (iv) is a Class C felony;
- (iii) Subdivision (a)(1)(A)(ii) is a Class C felony;
- (iv) Subdivision (b) or (c) is a Class C felony;
- (v) Subdivision (a)(1)(B)(i) or (iii) is a Class D felony;
- (vi) Subdivision (a)(1)(B)(ii) is a Class D felony.

(B) However, the maximum fine shall be fifteen thousand dollars (\$15,000) for an offense under subdivision (a)(1)(A), subdivision (a)(1)(B), subsection (c), or subsection (d) committed against any of the following persons who are discharging or attempting to discharge their official duties:

- (A) Law enforcement officer;
- (B) Firefighter;
- (C) Medical fire responder;
- (D) Paramedic;
- (E) Emergency medical technician;
- (F) Health care provider; or
- (G) Any other first responder.

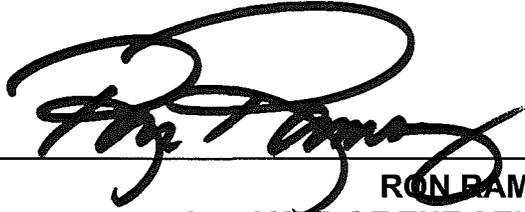
SECTION 4. Tennessee Code Annotated, Section 40-35-501, is amended by creating the following new subdivision to subsection (k) to be appropriately designated:

(k)() There shall be no release eligibility for a person committing aggravated assault as defined in § 39-13-102, that results in death of another, on or after July 1, 2013, until the person has served seventy-five percent (75%) of the sentence imposed by the court less sentence credits earned and retained. However, no sentence reduction credits authorized by § 41-21-236, or any other provision of law, shall operate to reduce below sixty percent (60%) the percentage of sentence imposed by the court such person must serve before becoming release eligible.

SECTION 5. This act shall take effect July 1, 2013, the public welfare requiring it and shall apply to all offenses committed on or after such date.

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PASSED: April 18, 2013

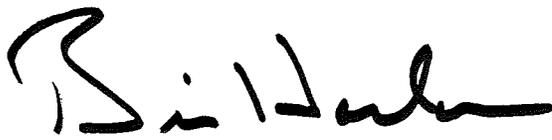


RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 20th day of May 2013



BILL HASLAM, GOVERNOR