



State of Tennessee

PUBLIC CHAPTER NO. 365

SENATE BILL NO. 638

By Johnson, Harris

Substituted for: House Bill No. 843

By Parkinson, Powell, Miller, Armstrong, Cooper, Hardaway, Love

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to criminal offenders within a residential area.

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

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 35, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) This section shall be known and may be cited as the "Neighborhood Protection Act."

(b) A homeowners' association, as defined in § 68-14-302, a neighborhood association, a neighborhood watch, or a similarly organized residential entity that is recognized by state or local law with defined boundaries referenced in the residential entity's charter or governing document, may seek an injunction or restraining order prohibiting an offender from entering the boundaries of the residential area, if:

(1) The offender has been convicted of three (3) or more separate offenses of:

(A) Burglary, as defined in § 39-14-402;

(B) Rape, as defined in § 39-13-503;

(C) Criminal homicide, as defined in § 39-13-201;

(D) Delivering or selling a controlled substance, as defined in § 39-17-417;

(E) Criminal gang activity, as defined in § 40-35-121;

(F) Prostitution, as defined in § 39-13-512;

(G) Theft, if the value of the property or services obtained is more than five hundred dollars (\$500), pursuant to title 39, chapter 14, part 1; or

(H) Vandalism, as defined in § 39-14-408; and

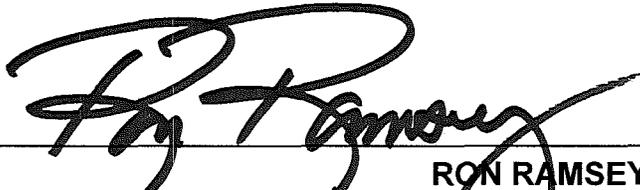
(2) Three (3) or more of the offenses were committed within the boundaries of the residential area.

(c) Any injunction or restraining order shall remain in effect for one (1) year, unless modified or dissolved by the court that granted the injunction or restraining order, and may be renewed by the court upon motion of the homeowners' association, neighborhood association, neighborhood watch, or similarly organized residential entity.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it, and shall apply to any person whose third or subsequent applicable offense is committed on or after that date.

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PASSED: April 20, 2015



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 4th day of MAY 2015



BILL HASLAM, GOVERNOR