

17 new Tennessee laws effective January 1

Bill cover broad spectrum of topics

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White Countians, as well as all other Tennesseans, will have more than a dozen new laws that will legally enter the realms of enforcement on Jan. 1, 2012.

According to information obtained from Tennessee General Assembly, State Representative Charles Curtiss, of White County, and State Senator Charlotte Burks, of Putnam County, voted in favor of all 17 laws. Curtiss and Burks represent White County.

SB861: Bail, Bail Bonds - As enacted, specifies that defendant released before trial will continue on release during trial or release pending trial under same terms and conditions as were previously imposed, unless the court determines that other terms and conditions or termination of release are necessary; authorizes court to order a defendant held without release during existing trial, if, after the defendant is released upon personal recognizance, an unsecured personal appearance bond, or any other bond approved by the court, the defendant violates a condition of release, is charged with an offense committed during the defendant's release, or engages in conduct which results in the obstruction of the orderly and expeditious progress of the trial or other proceedings.

Under present law, a defendant released before trial continues on release during the trial under the same terms and conditions as were previously imposed, unless the court determines that other terms and conditions or termination of release are necessary to assure the defendant's presence during trial, or to assure that the defendant's conduct will not obstruct the orderly and expeditious progress of the trial.

This bill revises the above provision to instead provide that such a defendant released before trial would continue on release, and that termination of release may occur, "pending trial" instead of "during trial."

This bill authorizes the court to revoke and terminate the defendant's bond and order him held without bail pending trial if after the defendant is released upon personal recognizance or any bond approved by the court, the defendant violates a condition of release, is charged with an offense committed during the defendant's release, or engages in conduct which results in the obstruction of the orderly and expeditious progress of the trial or other proceedings.

An amendment clarifies that under this bill a defendant released before trial will continue on release during the trial or release pending trial under the same terms and conditions as were previously imposed, unless the court determines that other terms and conditions or termination of release are necessary to assure the defendant's presence during trial, or to assure that the defendant's conduct will not obstruct the orderly and expeditious progress of the trial.

This amendment adds authorization to this bill for a court to order a defendant held without release during existing trial, if, after the defendant is released upon personal recognizance, an unsecured personal appearance bond, or any other bond approved by the court, the defendant violates a condition of release, is charged with an offense committed during the defendant's release, or engages in conduct which results in the obstruction of the orderly and expeditious progress of the trial or other proceedings.