

HOUSE BILL 33

By Gillespie

AN ACT to amend Tennessee Code Annotated, Title 40,
relative to pretrial release for certain offenses.

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

SECTION 1. Tennessee Code Annotated, Section 40-11-115, is amended by adding the following new subsection:

(f)

(1) There is a presumption that a defendant should not be released on the defendant's personal recognizance if the defendant is charged with an offense that involved the use or display of a firearm or resulted in the serious bodily injury or death of the victim. As used in this subsection (f), the terms "firearm" and "serious bodily injury" mean the same as defined in § 39-11-106.

(2) If a magistrate or other official authorized to admit a defendant to bail determines that the presumption established by subdivision (f)(1) has been rebutted, then the magistrate or such official must include in the bail order written findings for each factor listed in subsection (b).

SECTION 2. This act takes effect July 1, 2025, the public welfare requiring it.