

HOUSE BILL 34

By Gillespie

AN ACT to amend Tennessee Code Annotated, Title 37
and Title 40, relative to juvenile records.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-133, is amended by deleting subsection (b) and substituting:

(b) The disposition of a child and evidence adduced in a hearing in juvenile court must not be used against such child in any proceeding in any court other than a juvenile court, whether before or after reaching majority, except in:

(1) Pretrial reports used to set bonds;

(2) Dispositional proceedings after conviction of a felony for the purposes of a presentence investigation and report;

(3) A proceeding pursuant to § 39-17-1352; or

(4) A criminal prosecution for a violation of the prohibition on purchasing or possessing firearms imposed under § 37-1-190.

SECTION 2. Tennessee Code Annotated, Section 37-1-153, is amended by deleting subdivision (a)(4) and substituting:

(4) A court and its probation and other officials or professional staff and the attorney for the defendant for use in pretrial reports used to set bonds and preparing a presentence report in a criminal case in which the defendant is convicted and who prior thereto had been a party to the proceeding in juvenile court;

SECTION 3. Tennessee Code Annotated, Section 40-11-118, is amended by deleting subdivision (b)(7) and substituting:

(7) The defendant's prior juvenile record and prior criminal record and the likelihood that because of the records the defendant will pose a risk of danger to the community;

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.