

2009 Criminal Law and Criminal Procedure
Public Chapters

Presented by Kent Coleman
Attorney at Law

CRIMINAL OFFENSES

| | | | |
|----------------------|-------------------|---|------------------------|
| 0083 | Criminal Offenses | As enacted, creates Class A misdemeanor offense of possession of device, tool, or other item with the intent to use it, or allow it to be used, to unlawfully render inoperative a security device used or designed to prevent or deter the theft of retail merchandise. | SB0437 |
| 0155 | Criminal Offenses | As enacted, creates a Class A misdemeanor offense for a person to knowingly provide, transfer, or submit to any other person false identification for the purposes of obtaining or maintaining employment. | SB0294 |
| 0241 | Criminal Offenses | As enacted, provides that escaping from the lawful custody of a law enforcement officer constitutes the offense of escape the same as escaping from a penal institution. | SB0388 |
| 0274 | Criminal Offenses | As enacted, creates offenses regarding improper wearing of military decorations or falsely representing that one has been awarded military decorations; offense is Class B misdemeanor, unless medal involved is a Congressional Medal of Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, Silver Star, or Purple Heart, in which case it is a Class A misdemeanor. | SB1168 |
| 0282 | Criminal Offenses | As enacted, requires certain actions by buyers and dealers of scrap jewelry and metal and makes a violation of such requirements a Class A misdemeanor. | HB0218 |
| 0307 | Criminal Offenses | As enacted, redefines "serious bodily injury" to include a broken bone of a child who is eight years of age or younger. | SB1665 |
| 0325 | Criminal Offenses | As enacted, creates offense of making false statement or concealment of material fact for purpose of obtaining accommodation in housing project of a housing authority or for paying less rent than required for such dwelling; offense is Class A misdemeanor punishable by fine only, with fine to be determined in accordance with value of the benefit, in accordance with theft provisions. | HB0516 |
| 0342 | Criminal Offenses | As enacted, adds certain violations of rules of road to present violations resulting in accident that are penalized as Class A misdemeanors when involving death or as Class B misdemeanors when involving serious bodily injury. | HB0253 |
| 0347 | Criminal Offenses | As enacted, revises the Class A misdemeanor harassment to add offense committed by a person who intentionally communicates with another person without legitimate purpose: with the malicious intent to frighten, intimidate or cause emotional distress or in a manner the defendant knows or reasonably should know would frighten, intimidate or cause emotional distress to a similarly situated person of reasonable sensibilities; and as the result of the communication, the person is frightened, intimidated or emotionally distressed. | SB0113 |
| 0386 | Criminal Offenses | As enacted, defines "proceeds" for money laundering offenses to include gross profits from commission of any unlawful activity including real or personal property. | HB0590 |
| 0394 | Criminal Offenses | As enacted, classifies intentionally causing the physical injury of a public employee or public or private transportation system employee while the employee is performing a duty within the scope of the public employee's employment or while the transportation system employee is performing an assigned duty on or related to the operation of a transit vehicle as aggravated assault and a Class A misdemeanor. | HB1541 |

| | | | |
|----------------------|-------------------|---|------------------------|
| 0408 | Criminal Offenses | As enacted, modifies certain statutory provisions pertaining to criminal simulation and certain other types of theft related to the recording of live performances. | SB1976 |
| 0412 | Criminal Offenses | As enacted, creates an enhanced penalty for the offenses of assault and aggravated assault when the victim of such a crime is a law enforcement officer. | HB0351 |
| 0439 | Criminal Offenses | As enacted, establishes what crimes may be a lesser included offense generally; specifies that second degree murder is a lesser included offense of first degree murder, voluntary manslaughter is a lesser included offense of premeditated first degree murder and second degree murder, aggravated sexual battery is a lesser included offense of aggravated rape, and sexual battery and sexual battery by an authority figure are lesser include offenses of rape and aggravated rape. | HB0588 |
| 0440 | Criminal Offenses | As enacted, redefines "electronic communication" and "wire communication" for certain wiretapping and electronic surveillance offenses. | HB0591 |
| 0510 | Criminal Offenses | As enacted, rewrites certain criminal trespass provisions; requires that 97 percent of the fees collected by the secretary of state for filing, processing and copying business documents pursuant to the Tennessee Revised Limited Liability Company Act be remitted to the general fund, and that the balance of the collected fees be retained by the department of state for continuing improvement of its filing, service and copying duties. | SB0679 |
| 0582 | Criminal Offenses | As enacted, adds aggravated child abuse, aggravated child neglect, rape of a child, and aggravated rape of a child to list of criminal offenses that support sentence of death or life imprisonment when committed in conjunction with first degree murder. | HB0589 |
| 0583 | Criminal Offenses | As enacted, establishes attempt to commit first degree murder as a dangerous felony for the offense of possessing a firearm during commission of a dangerous felony. | HB0606 |
| 0585 | Criminal Offenses | As enacted, increases the age the victim of child abuse or child neglect must be from six to eight years old for a defendant to receive an enhanced punishment for such an offense. | HB1261 |

CRIMINAL PROCEDURE

| | | | |
|-----------------------------|--------------------|--|-------------------------------|
| <u>0115</u> | Criminal Procedure | As enacted, establishes the venue for a violation of community supervision for life of a sexual offender as the county where the offender was being supervised at time of violation and permits probation officer to be affiant for purposes of obtaining affidavit of complaint against person. | <u>SB0284</u> |
| <u>0194</u> | Criminal Procedure | As enacted, revises the prohibition against using deadly force in defense of property to specify that prohibition would not apply if a person is justified in using deadly force as otherwise provided by law for defense of oneself or defense of another person. | <u>HB0070</u> |
| <u>0379</u> | Criminal Procedure | As enacted, requires district attorney general to complete and file uniform judgment document within 30 days after sentencing; requires that the document be signed by all parties, but if not signed by the parties, the clerk must make a copy of the document available to the parties before entry by the court. | <u>SB1638</u> |
| <u>0387</u> | Criminal Procedure | As enacted, expands the offense of aiming a laser pointer or other device at a law enforcement officer to include aiming at firefighters, emergency medical technicians, or other emergency service personnel. | <u>HB0815</u> |
| <u>0390</u> | Criminal Procedure | As enacted, prohibits parent from being issued arrest warrant or criminal summons against teacher without written approval of district attorney if the conduct alleged involved the teacher and a child of such parent. | <u>HB1210</u> |
| <u>0432</u> | Criminal Procedure | As enacted, extends the property that is subject to forfeiture and establishes certain exemptions in regard to such property; provides certain forfeiture protections for innocent spouses and other co-owners of forfeited property. | <u>HB0583</u> |