



**State of Tennessee**  
**PUBLIC CHAPTER NO. 283**

**HOUSE BILL NO. 838**

**By Representatives Windle, Powers, Calfee, Keisling, Jones, Hardaway, Fitzhugh,  
Haynes, Marsh**

**Substituted for: Senate Bill No. 833**

**By Senators Yager, Bailey, Bowling, Dickerson, Norris**

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1, relative to assaults on correctional officers.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-102, is amended by adding the following new subdivision to subsection (e):

( )

(A) In addition to any other punishment authorized by this section, the court shall order a person convicted of aggravated assault under the circumstances set out in this subdivision to pay restitution to the victim of the offense. Additionally, the judge shall order the warden, chief operating officer, or workhouse administrator to deduct fifty percent (50%) of the restitution ordered from the inmate's commissary account or any other account or fund established by or for the benefit of the inmate while incarcerated. The judge may authorize the deduction of up to one hundred percent (100%) of the restitution ordered.

(B) Subdivision (A) applies if:

(i) The victim of the aggravated assault is a correctional officer, guard, jailer, or other full-time employee of a penal institution, local jail, or workhouse;

(ii) The offense occurred while the victim was in the discharge of official duties and within the victim's scope of employment; and

(iii) The person committing the assault was at the time of the offense, and at the time of the conviction, serving a sentence of incarceration in a public or private penal institution as defined in § 39-16-601.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it, and shall apply to any applicable aggravated assault committed on or after that date.

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PASSED: April 15, 2015

  
BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

  
RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 28<sup>th</sup> day of April 2015

  
BILL HASLAM, GOVERNOR