

HOUSE BILL 2092
By Brooks

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 35, Part 1, relative to criminal sentencing.

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

SECTION 1. Tennessee Code Annotated, Section 40-35-114, is amended by adding the following as a new, appropriately enumerated item:

(22) The defendant intentionally selected the victim based, in whole or in part, upon the defendant's belief or perception regarding the victim's race, religion, color, disability, sexual orientation, national origin, ancestry or gender, whether or not the defendant's belief or perception was actually correct. However, the provisions of this subsection shall not be construed to permit enhancement of a sexual offense on the basis of gender selection alone.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.