

SENATE BILL 106

By Burchett

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 13, relative to assaults and aggravated
assaults.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-102, is amended by deleting subsection (a) and substituting instead the following:

(a) A person commits aggravated assault who:

(1) Intentionally or knowingly commits an assault as defined in §

39-13-101 and:

(A) Causes serious bodily injury to another;

(B) Uses or displays a deadly weapon; or

(C) Causes or attempts to cause any bodily injury to an elderly, pregnant, or disabled person or any person with whom the suspect has a relationship as defined in § 36-3-601(a)(D), (E) or (F), by strangulation; however, the state shall not be required to prove that the strangulation resulted in actual injury to the victim; or

(2) Recklessly commits an assault as defined in § 39-13-101(a)(1), and:

(A) Causes serious bodily injury to another; or

(B) Uses or displays a deadly weapon.

(3) For purposes of subdivision (1)(C) of this subsection:

(A) "Disabled" is any person that meets the requirements set out in § 47-18-802(b);

(B) "Elderly" is defined as any person over the age of sixty-five (65); and

(C) "Strangulation" means impeding normal breathing by applying pressure to the throat or neck or by blocking the nose or mouth of another person.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.