

Amendment No. 2 to HB0035

Sargent
Signature of Sponsor

AMEND Senate Bill No. 64

House Bill No. 35*

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-513, is amended by adding the following as a new, appropriately designated subsection:

() Notwithstanding any provision of this section to the contrary, if it is determined after a reasonable detention for investigative purposes, that a person suspected of or charged with a violation of this section is under eighteen (18) years of age, that person shall be immune from prosecution for prostitution as a juvenile or adult. A law enforcement officer who takes a person under eighteen (18) years of age into custody for a suspected violation of this section shall, upon determination that the person is a minor, provide the minor with the telephone number for the national human trafficking resource center hotline and release the minor to the custody of a parent or legal guardian.

SECTION 2. Tennessee Code Annotated, Section 39-13-514, is amended by adding the following language as a new, appropriately designated subdivision to subsection (b):

()

(A) Patronizing prostitution from a person who is younger than eighteen (18) years of age or has an intellectual disability is a Class E felony.

(B) Nothing in this subdivision (b)() shall be construed as prohibiting prosecution under any other applicable provision of law.

SECTION 3. Tennessee Code Annotated, Section 39-13-512, is amended by adding the following language as a new subdivision (5) and redesignating the subsequent subdivisions accordingly:

(5) "Promoting prostitution of a minor" means engaging in any of the activities described in subdivision (4) when one (1) or more of the persons engaged in prostitution is less than eighteen (18) years of age or has an intellectual disability;

SECTION 4. Tennessee Code Annotated, Section 39-13-515, is amended by redesignating the existing language as subsection (a) and adding the following as a new, appropriately designated subsection:

() Promoting prostitution of a minor is a Class E felony.

SECTION 5. This act shall take effect upon becoming a law and shall apply to any acts committed on or after the effective date, the public welfare requiring it.