

Amendment No. 1 to SB0710

McNally
Signature of Sponsor

AMEND Senate Bill No. 710*

House Bill No. 1340

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

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 39, Part 2, is amended by adding the following as a new section:

§ 40-39-216.

(a) Public library directors shall have the authority to reasonably restrict the access of any person listed on the sexual offender registry.

(b) In determining the reasonableness of the restrictions, the director shall consider the following criteria:

(1) The likelihood of children being present in the library at the times and places to be restricted;

(2) The age of the victim of the offender; and

(3) The chilling effect of the use of the library by other patrons if the offender is not restricted.

(c) Nothing in this section shall prevent a total ban of the offender's access to a public library so long as the criteria in subsection (b) are considered.

(d) The restrictions of this part shall be effective upon the mailing of notice to the address of the offender as listed on the sex offender registry. The notice shall state with specificity, the time and space restrictions. The director shall state in the notice that the criteria in subsection (b) have been considered.

(e) A registered sex offender who enters upon the premises of a public library in contravention of the restrictions five (5) days after mailing of the notice may, at the discretion of the director be prosecuted for criminal trespass pursuant to § 39-14-405.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.