

Amendment No. 1 to SB3092

Beavers
Signature of Sponsor

AMEND Senate Bill No. 3092

House Bill No. 2221*

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 9, is amended by adding the following as a new section:

39-17-9__.

(a) It is an offense for a person eighteen (18) years of age or older who owns, manages or otherwise operates a business or retail establishment to knowingly:

(1) Allow a person who is seventeen (17) years of age or younger to engage in sexual activity, or to engage in patently offensive simulated sexual activity, as such terms are defined in § 39-17-1002, on the property of that business or retail establishment; or

(2) Engage in the promotion or performance of sexual conduct, including, but not limited to actual or simulated sexual intercourse, sodomy, masturbation, sadomasochistic abuse, excretion, or the exhibition of the male or female genitals; of a person who is seventeen (17) years of age or younger, on the property of that business or retail establishment.

(b) A violation of subsection (a), is a Class A misdemeanor.

(c) Any personal property used in the commission of a violation of this section, committed on or after July 1, 2012, by a person eighteen (18) years of age or older who owns, manages or otherwise operates a business or retail establishment, whose victim

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was a minor, is, upon conviction, subject to judicial forfeiture, by a court of any authority, as provided in title 39, chapter 11, part 7.

(d) Nothing in this section shall deprive a court of any authority to suspend or cancel a license, declare the establishment a nuisance or impose costs and other monetary obligations if specifically authorized by law.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.