

SENATE BILL 1857

By Tate

AN ACT to amend Tennessee Code Annotated, Title 37;
Title 39 and Title 40, relative to criminal law.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-134(a)(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

(1)

(A)

(i) The child was sixteen (16) years of age or more at the time of the alleged conduct;

(ii) The child was less than sixteen (16) years of age if such child was charged with the offense of first degree murder, second degree murder, rape, aggravated rape, rape of a child, aggravated rape of a child, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping or especially aggravated kidnapping or an attempt to commit any such offenses; or

(iii) The child was less than sixteen (16) years of age if such child was charged with the offense of aggravated sexual battery, aggravated child abuse, aggravated child neglect or aggravated child endangerment or an attempt to commit any such offenses and the victim was eight (8) years of age or less at the time of the offense.

(B) The district attorney general may not seek, nor may any child transferred under this section receive, a sentence of death for the offense for which the child was transferred.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.