

HOUSE BILL 344

By Terry

AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7; Title 37; Title 38 and Title 39, relative to minor victims of crime.

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

SECTION 1. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following as a new, appropriately designated subsection (t):

(1) The following information concerning the victim of a criminal offense who is a minor shall be treated as confidential and shall not be open for inspection by members of the public:

- (A) Name, unless waived pursuant to subdivision (t)(2);
- (B) Home, work, and electronic mail addresses;
- (C) Telephone numbers;
- (D) Social security number;
- (E) Any photographic or video depiction of the minor victim; and
- (F) Whether the victim is related to the defendant, unless the relationship is an essential element of the offense.

(2) The parent of the minor victim of an offense whose name is made confidential pursuant to subdivision (t)(1)(A) may petition a court of record to waive the confidentiality and allow the minor victim's name to be obtained in the same manner as other public records. Upon finding good cause shown, the court shall enter the order granting the waiver.

(3) Nothing in this subsection (t) shall prevent the district attorney general or attorney general and reporter and counsel for a defendant from providing to each other

in a pending criminal case or appeal, where the constitutional rights of the defendant require it, information which otherwise may be held confidential under this subsection (t).

(4) Nothing in this subsection (t) shall be used to limit or deny access to otherwise public information because a file, document, or data file contains some information made confidential by subdivision (t)(1); provided, that confidential information shall be redacted before any access is granted to a member of the public.

(5) Nothing in this subsection (t) shall be construed to limit access to records by law enforcement agencies, courts, or other governmental agencies performing official functions.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.