

HOUSE BILL 1320

By Eldridge

AN ACT to amend Tennessee Code Annotated, Section 37-1-131(a)(2)(B) and Section 49-6-3051(b), relative to school notification of certain adjudicated delinquent offenses.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-131(a)(2)(B), is amended by deleting the entire subsection and substituting instead the following:

(B) The court shall make a finding that the child's school shall be notified, if:

(i) The child has been adjudicated delinquent for any of the following

offenses:

- (a) First degree murder, as defined in § 39-13-202;
- (b) Second degree murder, as defined in § 39-13-210;
- (c) Rape, as defined in § 39-13-503;
- (d) Aggravated rape, as defined in § 39-13-502;
- (e) Rape of a child, as defined in § 39-13-522;
- (f) Aggravated rape of a child, as defined in § 39-13-531;
- (g) Aggravated robbery, as defined in § 39-13-402;
- (h) Especially aggravated robbery, as defined in § 39-13-403;
- (i) Kidnapping, as defined in § 39-13-303;
- (j) Aggravated kidnapping, as defined in § 39-13-304;
- (k) Especially aggravated kidnapping, as defined in § 39-13-305;
- (l) Aggravated assault, as defined in § 39-13-102;
- (m) Felony reckless endangerment pursuant to § 39-13-103;
- (n) Aggravated sexual battery, as defined in § 39-13-504;

- (o) Voluntary manslaughter, as defined in § 39-13-211;
 - (p) Criminally negligent homicide, as defined in § 39-13-212;
 - (q) Sexual battery by an authority figure, as defined in § 39-13-527;
 - (r) Statutory rape by an authority figure, as defined in § 39-13-532;
 - (s) Prohibited weapon, as defined in § 39-17-1302;
 - (t) Unlawful carrying or possession of a firearm, as defined in § 39-17-1307;
 - (u) Carrying weapons on school property, as defined in § 39-17-1309;
 - (v) Carrying weapons on public parks, playgrounds, civic centers, and other public recreational buildings and grounds, as defined in § 39-17-1311;
 - (w) Handgun possession, as defined in § 39-17-1319;
 - (x) Providing handguns to juveniles, as defined in § 39-17-1320;
- or
- (y) Any violation of § 39-17-417 that constitutes a Class A or Class B felony; and
 - (ii) School attendance is a condition of probation, or if the child is to be placed in the custody of a state agency and is to be placed in school by a state agency or by a contractor of the state agency;

SECTION 2. Tennessee Code Annotated, Section 49-6-3051(b), is amended by deleting the subsection and substituting instead the following:

- (b) The parents, guardians, or legal custodians, including the department of children's services acting in any capacity, shall provide notification as required by subsection (a) if the student has been adjudicated delinquent:

(1) In this state for any of the following offenses, or in another state for equivalent offenses as determined by the elements of the offense:

- (A) First degree murder, as defined in § 39-13-202;
- (B) Second degree murder, as defined in § 39-13-210;
- (C) Rape, as defined in § 39-13-503;
- (D) Aggravated rape, as defined in § 39-13-502;
- (E) Rape of a child, as defined in § 39-13-522;
- (F) Aggravated rape of a child, as defined in § 39-13-531;
- (G) Aggravated robbery, as defined in § 39-13-402;
- (H) Especially aggravated robbery, as defined in § 39-13-403;
- (I) Kidnapping, as defined in § 39-13-303;
- (J) Aggravated kidnapping, as defined in § 39-13-304;
- (K) Especially aggravated kidnapping, as defined in § 39-13-305;
- (L) Aggravated assault, as defined in § 39-13-102;
- (M) Felony reckless endangerment pursuant to § 39-13-103; or
- (N) Aggravated sexual battery, as defined in § 39-13-504; or

(2) In this state for any of the following offenses:

- (A) Voluntary manslaughter, as defined in § 39-13-211;
- (B) Criminally negligent homicide, as defined in § 39-13-212;
- (C) Sexual battery by an authority figure, as defined in § 39-13-527;
- (D) Statutory rape by an authority figure, as defined in § 39-13-532;
- (E) Prohibited weapon, as defined in § 39-17-1302;

(F) Unlawful carrying or possession of a firearm, as defined in § 39-17-1307;

(G) Carrying weapons on school property, as defined in § 39-17-1309;

(H) Carrying weapons on public parks, playgrounds, civic centers, and other public recreational buildings and grounds, as defined in § 39-17-1311;

(I) Handgun possession, as defined in § 39-17-1319;

(J) Providing handguns to juveniles, as defined in § 39-17-1320;

or

(K) Any violation of § 39-17-417 that constitutes a Class A or Class B felony; or

(3) An offense not listed in this subsection (b) for which a court has ordered school notification based on the circumstances surrounding the offense.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.