

HOUSE BILL 2380

By Hulsey

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to certain sexual offenses
committed against minors.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-506(b)(1), is amended by deleting the subdivision and substituting instead the following:

(1) The victim is at least thirteen (13) but less than fifteen (15) years of age and the defendant is at least four (4) years older than the victim; or

SECTION 2. Tennessee Code Annotated, Section 39-13-506(c), is amended by deleting the language "at least thirteen (13) but less than eighteen (18) years of age" and substituting instead the language "at least fifteen (15) but less than eighteen (18) years of age".

SECTION 3. Tennessee Code Annotated, Section 39-13-506(d)(2), is amended by deleting the subdivision and substituting instead the following:

(2)

(A) Statutory rape under subdivision (b)(1) is a Class C felony.

(B)

(i) Statutory rape under subdivision (b)(2) is a Class E felony.

(ii) In addition to the punishment provided for a person who commits statutory rape under subdivision (b)(2) for the first time, the trial judge may order, after taking into account the facts and circumstances surrounding the offense, including the offense for which the person was originally charged and whether the conviction was the result of a plea bargain agreement, that the person be required to register as a sexual offender pursuant to title 40, chapter 39, part 2.

SECTION 4. Tennessee Code Annotated, Section 40-39-202(20)(A)(ii), is amended by deleting the subdivision in its entirety and substituting instead the following:

(ii)

(a) Statutory rape, under § 39-13-506(b)(1); or

(b) Statutory rape, under § 39-13-506(b)(2), if:

(1) The defendant has one (1) or more prior convictions for mitigated statutory rape under § 39-13-506(a), statutory rape under § 39-13-506(b)(1) or (b)(2), or aggravated statutory rape under § 39-13-506(c);
or

(2) The judge orders the person to register as a sexual offender pursuant to § 39-13-506(d);

SECTION 5. Tennessee Code Annotated, Section 40-35-313(a)(1)(B)(ii), is amended by adding the following as a new subdivision:

(m) Statutory rape, as described in § 39-13-506(b)(1);

SECTION 6. This act shall take effect July 1, 2020, the public welfare requiring it, and applies to offenses committed on or after that date.