

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 5, relative to the offenses of prostitution, patronizing prostitution and promoting prostitution.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-513, is amended by deleting subsection (b) in its entirety and substituting instead the following:

(b)

(1) Prostitution is a Class B misdemeanor.

(2) Prostitution committed within one hundred feet (100') of a church or within one and one-half (1 1/2) miles of a school, such distance being that established by Tennessee Code Annotated, Section 49-6-2101, for state-funded school transportation, is a Class A misdemeanor.

(3) A person convicted of prostitution within one and one-half (1 1/2) miles of a school shall, in addition to any other authorized punishment, be sentenced to at least seven (7) days of incarceration and be fined at least one thousand dollars (\$1,000).

SECTION 2. Tennessee Code Annotated, Section 39-13-514, is amended by deleting subsection (b) in its entirety and substituting instead the following:

(b)

(1) Patronizing prostitution is a Class B misdemeanor.

(2) Patronizing prostitution within one hundred feet (100') of a church or within one and one-half (1 1/2) miles of a school, such distance being that

established by Tennessee Code Annotated, Section 49-6-2101, for state-funded school transportation, is a Class A misdemeanor.

(3) A person convicted of patronizing prostitution within one and one-half (1 1/2) miles of a school shall, in addition to any other authorized punishment, be sentenced to at least seven (7) days of incarceration and be fined at least one thousand dollars (\$1,000).

SECTION 3. Tennessee Code Annotated, Title 39, Chapter 13, Part 5, is amended by adding the following as a new section to be designated as 39-13-517.

Section 39-13-517. The state offenses of prostitution, as prohibited by Tennessee Code Annotated, Section 39-13-513, patronizing prostitution, as prohibited by Tennessee Code Annotated, Section 39-13-514, and promoting prostitution, as prohibited by Tennessee Code Annotated, Section 39-13-515, preempt any other regulation or punishment of the conduct prohibited by such sections by a local governmental entity. Any ordinance, private act or other law enacted by a local governmental entity currently in effect that regulates or makes any conduct covered by such sections an offense, a violation, or the subject of a criminal or civil penalty or other sanction of any kind is void on July 1, 1995, and no local governmental entity may enact or enforce such an ordinance, private act or other law governing the conduct referenced by this section.

SECTION 4. This act shall take effect July 1, 1995, the public welfare requiring it.