

House Finance, Ways, and Means Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 253

House Bill No. 108*

by deleting Section 2 and substituting the following:

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it, and applies to offenses committed on or after that date.



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Amendment No. _____

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Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1378*

House Bill No. 1416

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-309(c), is amended by deleting the language "child under fifteen (15) years of age" and substituting instead "child more than twelve (12) years of age but less than eighteen (18) years of age".

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 3, is amended by adding the following language as a new section:

39-13-316. Aggravated trafficking for commercial sex act.

(a) Aggravated trafficking for a commercial sex act is the commission of an act that constitutes trafficking for commercial sex act, under § 39-13-309, if the victim of the criminal offense is under thirteen (13) years of age.

(b)

(1) Aggravated trafficking for a commercial sex act is a Class A felony.

(2) Notwithstanding title 40, chapter 35, a person convicted of a violation of this section shall be punished as a Range II offender; however, the sentence imposed upon the person may, if appropriate, be within Range III but in no case shall it be lower than Range II.

(3) Section 39-13-525(a) does not apply to a person sentenced under this subsection (b).

(4) Notwithstanding other law to the contrary, the board of parole may require, as a mandatory condition of supervision for a person convicted under this section, that the person be enrolled in a satellite-based monitoring program



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for the full extent of the person's term of supervision consistent with the requirements of § 40-39-302.

(c) Title 40, chapter 35, part 5, regarding release eligibility status and parole, does not apply to or authorize the release of a person convicted of a violation of this section prior to service of the entire sentence imposed by the court.

(d) Title 41, chapter 1, part 5, does not give either the governor or the board of parole the authority to release or cause the release of a person convicted of a violation of this section prior to the service of the entire sentence imposed by the court.

SECTION 3. Tennessee Code Annotated, Section 39-13-524(a), is amended by adding the following as a new subdivision:

(5) July 1, 2022, commits a violation of § 39-13-316.

SECTION 4. Tennessee Code Annotated, Section 40-35-501(aa)(2), is amended by adding the following as a new subdivision:

() Aggravated trafficking for a commercial sex act, as defined in § 39-13-316;

SECTION 5. The heading in Section 2 of this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

SECTION 6. This act takes effect July 1, 2022, the public welfare requiring it, and applies to offenses committed on or after that date.