

HOUSE BILL 5

By Gillespie

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

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

SECTION 1. Tennessee Code Annotated, Section 39-13-305(b), is amended by adding the following new subdivision:

(3) 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 such person may, if appropriate, be within Range III but in no case shall it be lower than Range II.

SECTION 2. Tennessee Code Annotated, Section 39-13-502(b), is amended by redesignating the subsection as subdivision (b)(1) and adding the following new subdivision:

(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 such person may, if appropriate, be within Range III but in no case shall it be lower than Range II.

SECTION 3. Tennessee Code Annotated, Section 39-13-503(b), is amended by redesignating the subsection as subdivision (b)(1) and adding the following new subdivision:

(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 such person may, if appropriate, be within Range III but in no case shall it be lower than Range II.

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

(vi) Kidnapping, under § 39-13-303;

SECTION 5. Tennessee Code Annotated, Section 40-39-202(31)(H), is amended by deleting the subdivision and substituting instead the following:

(H) Aggravated kidnapping, under § 39-13-304;

SECTION 6. Tennessee Code Annotated, Section 40-39-202(31)(I), is amended by deleting the subdivision and substituting instead the following:

(I) Especially aggravated kidnapping, under § 39-13-305;

SECTION 7. Sections 1 through 3 of this act take effect July 1, 2023, the public welfare requiring it. The remaining sections of this act take effect January 1, 2024, the public welfare requiring it.