

HOUSE BILL 112

By Sparks

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, Chapter 2, relative to statutes of limitation for certain offenses against children.

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

SECTION 1. Tennessee Code Annotated, Section 40-2-101, is amended by deleting subdivision (l)(1) and substituting instead the following:

(1) Notwithstanding subsections (b), (g), (h), and (i) to the contrary, a person may be prosecuted, tried, and punished at any time after the commission of an offense if:

(A) The offense was one (1) of the following:

- (i) Aggravated rape, as prohibited by § 39-13-502; or
- (ii) Rape, as prohibited by § 39-13-503;

(B) The victim was eighteen (18) years of age or older at the time of the offense;

(C) The victim notifies law enforcement or the office of the district attorney general of the offense within three (3) years of the offense; and

(D) The offense is committed:

- (i) On or after July 1, 2014; or
- (ii) Prior to July 1, 2014, unless prosecution for the offense is barred because the applicable time limitation set out in this section for prosecution of the offense expired prior to July 1, 2014.

SECTION 2. Tennessee Code Annotated, Section 40-2-101, is further amended by adding the following new subsection (o):

(1) Notwithstanding subsections (b), (g), (h), (i), (j), (k), or (m), a person may be prosecuted, tried, and punished at any time after the commission of an offense if:

(A) The offense was one (1) of the following:

(i) Trafficking for a commercial sex act, as prohibited by § 39-13-309;

(ii) Aggravated rape, as prohibited by § 39-13-502;

(iii) Rape, as prohibited by § 39-13-503;

(iv) Aggravated sexual battery, as prohibited by § 39-13-504;

(v) Patronizing prostitution, as prohibited by § 39-13-514, when the offense is classified as a Class A or B felony;

(vi) Promotion of prostitution, as prohibited by § 39-13-515, when the offense is classified as a Class A or B felony;

(vii) Continuous sexual abuse of a child, as prohibited by § 39-13-518, when the offense is classified as a Class A or B felony;

(viii) Rape of a child, as prohibited by § 39-13-522;

(ix) Soliciting sexual exploitation of a minor or exploitation of a minor by electronic means, as prohibited by § 39-13-529, when the offense is classified as a Class A or B felony;

(x) Aggravated rape of a child, as prohibited by § 39-13-531;

(xi) Statutory rape by an authority figure, as prohibited by § 39-13-532;

(xii) Sexual exploitation of a minor, as prohibited by § 39-17-1003, when the offense is classified as a Class B felony;

(xiii) Aggravated sexual exploitation of a minor, as prohibited by § 39-17-1004, when the offense is classified as a Class B felony; or

(xiv) Especially aggravated sexual exploitation of a minor, as prohibited by § 39-17-1005;

(B) The victim was a minor at the time of the offense; and

(C) The offense is committed:

(i) On or after July 1, 2019; or

(ii) Prior to July 1, 2019, unless prosecution for the offense is barred

because the applicable time limitation set out in this section for prosecution of the offense expired prior to July 1, 2019.

SECTION 3. This act shall take effect July 1, 2019, the public welfare requiring it.