

HOUSE BILL 127

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to vandalism of a place of worship.

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

SECTION 1. Tennessee Code Annotated, Section 39-14-408, is amended by deleting subsection (c) and by substituting instead the following:

(c)

(1) Acts of vandalism are to be valued according to the provisions of § 39-11-106(a)(36) and punished as theft under § 39-14-105.

(2)

(A) Notwithstanding the provisions of title 40, chapter 35, a person convicted of an act of vandalism against a place of worship shall receive a fine from within the appropriate range for the next higher classification than the one from within which the offender would otherwise have been fined. This subdivision (c)(2)(A) shall not increase the term of imprisonment to which a person convicted of an act of vandalism against a place of worship may be sentenced.

(B) As used in this subdivision (c)(2), "place of worship" means any structure that is:

(i) Approved, or qualified to be approved, by the state board of equalization for property tax exemption pursuant to § 67-5-212, based on ownership and use of the structure by a religious institution; and

(ii) Utilized on a regular basis by such religious institution  
as the site of congregational services, rites or activities  
communally undertaken for the purpose of worship.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.