

HOUSE BILL 625

By Maggart

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 10, relative to sexual exploitation
of children.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 10, is amended by adding the following as a new, appropriately designated section thereto:

39-17-10__.

(a) It is an offense for any person who repairs or services computers for remuneration or compensation and who becomes aware of the existence on any such computer of material that a reasonable person would believe violates this part to knowingly fail to report the existence of such material to a local law enforcement authority within five (5) business days of detection.

(b) It is an offense for any retail or wholesale film processor or photo finisher who is requested to develop film and who becomes aware of the existence on any such film of material that a reasonable person would believe violates this part to knowingly fail to report the existence of such material to a local law enforcement authority within five (5) business days of detection.

(c) A violation of this section is a Class A misdemeanor, punishable only by a fine not to exceed two thousand five hundred dollars (\$2,500).

(d) This section shall not apply to any person acting under the lawful direction, supervision or authority of a judge, prosecutor, criminal defense attorney or law enforcement agency in legitimately storing such material on a computer or on film as part of a criminal investigation or as evidence in a criminal matter.

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