



# State of Tennessee

## PUBLIC CHAPTER NO. 367

HOUSE BILL NO. 959

By Representatives Casada, Hardaway

Substituted for: Senate Bill No. 866

By Senator Johnson

AN ACT to amend Tennessee Code Annotated, Title 37; Title 39; Title 40 and Title 41, relative to juveniles.

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

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 1, Part 1 is amended by adding the following as a new section:

(a) A minor commits illegal use of a telecommunication device who:

(1) Intentionally or knowingly, by use of a telecommunication device, transmits, distributes, publishes, or disseminates a photograph, video, or other material that contains a sexually explicit image of a minor; or

(2) Intentionally possesses a photograph, video, or other material that contains a sexually explicit image of a minor.

(b) A minor does not violate subdivision (a)(2) if:

(1) The minor did not solicit the photograph, video, or other material; and

(2) The minor:

(A) Deleted the photograph, video, or other material; or

(B) Reported the photograph, video, or other material to the minor's parent or legal guardian or to a school or law enforcement official.

(c) Illegal use of a telecommunication device committed under subsection (a) is considered an unruly act, for which a court may make a disposition as authorized by § 37-1-132.

SECTION 2. Tennessee Code Annotated, Section 37-1-102(b), is amended by adding the following as new, appropriately designated subdivisions:

( ) "Sexually explicit image" means a lewd or lascivious visual depiction of a minor's genitals, pubic area, breast or buttocks, or nudity, if such nudity is depicted for the purpose of sexual stimulation or gratification of any person who might view such nudity;

( ) "Telecommunication device" has the same meaning as defined in § 39-16-201;

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.

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PASSED: May 3, 2017

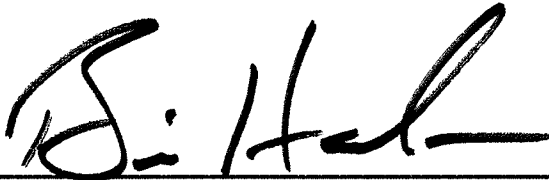


BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 11<sup>th</sup> day of May 2017



BILL HASLAM, GOVERNOR