

HOUSE BILL 1244

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 39,
relative to unlawful exposure.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 3, is amended by adding the following as a new section:

(a) A person commits unlawful exposure who, with the intent to cause emotional distress, distributes an image of the intimate part or parts of another identifiable person if:

- (1) The image was photographed or recorded under circumstances where the parties agreed or understood that the image would remain private; and
- (2) The person depicted in the image suffers emotional distress.

(b) As used in this section:

(1) "Emotional distress" has the same meaning as defined in § 39-17-315; and

(2) "Intimate part" means any portion of the primary genital area, buttock, or any portion of the female breast below the top of the areola that is either uncovered or visible through less than fully opaque clothing.

(c) Nothing in this section precludes punishment under any other section of law providing for greater punishment.

(d) A violation of subsection (a) is a Class A misdemeanor.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.