

HOUSE BILL 2089

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 3, Part 6 and Title 39, Chapter 13, Part 1, relative to establishing a domestic violence offender registry.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 1, is amended by adding the following as a new, appropriately designated section:

(a) There is created within the Tennessee bureau of investigation a registry of persons convicted of:

(1) Domestic assault, pursuant to § 39-13-111;

(2) Violation of an order of protection or restraining order, pursuant to § 39-13-113;

(3) The following offenses committed against a domestic abuse victim, as defined by § 39-13-111(a):

(A) Aggravated assault, pursuant to § 39-13-102;

(B) First degree murder, pursuant to § 39-13-202;

(C) Second degree murder, pursuant to § 39-13-210;

(D) Voluntary manslaughter, pursuant to § 39-13-211;

(E) Aggravated rape, pursuant to § 39-13-502;

(F) Rape, pursuant to § 39-13-503;

(G) Aggravated sexual battery, pursuant to § 39-13-504; or

(H) Sexual battery, pursuant to § 39-13-505; or

(4) Conspiracy to commit, attempt to commit, or solicitation to commit any of the offenses listed in subdivisions (a)(1)-(3).

(b) Following conviction for one (1) of the offenses listed in subdivisions (a)(3) and (4), the court shall determine whether the victim of the offense is a domestic abuse victim, as defined by § 39-13-111, and indicate the finding on the judgment.

(c) This registry shall be maintained by the Tennessee bureau of investigation based upon information supplied to the bureau by the court clerks pursuant to subsection (d), and the registry shall be made available for public inquiry on the Internet.

(d) The registry shall consist of the person's name, date of birth, offense or offenses requiring the person's inclusion on the registry, conviction date, and county or counties of conviction. If available after reasonable inquiry, the court clerk shall provide the Tennessee bureau of investigation with the person's driver license number and issuing state, or any other state or federal identification number, and such other identifying data as the bureau determines is necessary to properly identify the convicted person and exclude innocent persons. However, the registry available for public inquiry shall not include the person's social security number, driver license number, or any other state or federal identification number.

(e) The court clerks shall forward a copy of the judgment and date of birth of all persons who are convicted of a violation of the offenses described in subsection (a) to the Tennessee bureau of investigation. The information shall be forwarded to the bureau within forty-five (45) days of the date of judgment.

(f) The Tennessee bureau of investigation shall remove from the registry the name and other identifying information of persons who are convicted of a violation of the offenses described in subsection (a) ten (10) years after the date of the most recent conviction. The Tennessee bureau of investigation shall also remove from the registry the name and other identifying information of any person whose conviction for an offense described in subsection (a) has been expunged pursuant to § 40-32-101.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it, and shall apply to offenses occurring on or after that date.