

HOUSE BILL 2289

By Fitzhugh

AN ACT to amend Tennessee Code Annotated, Title 38,
Chapter 6, Part 1, relative to sexual assault
evidence.

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

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by
adding the following new section:

38-6-114.

(a) As used in this section, "sexual assault evidence" means a human biological specimen or specimens collected by a health care provider during a forensic medical examination from the victim of a sexually-oriented criminal offense.

(b) Law enforcement agencies shall submit any untested sexual assault evidence to the Tennessee bureau of investigation (TBI) for analysis within thirty (30) days of collection. The TBI shall perform the required analysis on any sexual assault evidence within ninety (90) days of receipt.

(c) Any untested sexual assault evidence being stored by law enforcement agencies prior to the effective date of this act shall be submitted to the TBI by January 1, 2015, to be analyzed as sufficient funding and personnel are available. Any sexual assault evidence submitted pursuant to this subsection (c) shall be tested in chronological order based on when each specimen was collected with priority given to evidence in active cases.

(d) The failure of a law enforcement agency to submit sexual assault evidence within the period required by this section shall not affect the authority of:

(1) The agency to submit the evidence to the TBI for analysis; or

(2) The TBI to analyze the evidence or provide the results of that analysis to appropriate persons.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.