

SENATE BILL 14

By Lamar

AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 6 and Title 39, Chapter 13, Part 5, relative to sexual assault evidence collection kits.

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

SECTION 1. Tennessee Code Annotated, Section 38-6-113, is amended by adding the following as a new subsection:

(e)

(1) The bureau shall perform serology or deoxyribonucleic acid (DNA) analysis on a sexual assault evidence collection kit within thirty (30) days of the bureau's receipt of the sexual assault evidence collection kit from a law enforcement agency.

(2)

(A) If the bureau is unable to perform serology or DNA analysis on a sexual assault evidence collection kit within thirty (30) days pursuant to subdivision (e)(1), then the bureau shall flag the sexual assault evidence collection kit in the electronic tracking system and provide the submitting law enforcement agency with a written explanation for the delay in analysis.

(B) A sexual assault evidence collection kit that has been flagged pursuant to subdivision (e)(2)(A) must be analyzed within a reasonable time thereafter.

(3) As used in this section, "sexual assault evidence collection kit" has the same meaning as defined in § 39-13-519.

(4) The bureau's inability to perform serology or DNA analysis on a sexual assault evidence collection kit within the timeframe required by subdivision (e)(1) does not limit the admissibility of evidence obtained from the sexual assault evidence collection kit and is not a ground for challenging the validity of any analysis performed by the bureau of evidence obtained from the sexual assault evidence collection kit.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it, and applies to all sexual assault evidence collection kits received by the Tennessee bureau of investigation on or after that date.