

SENATE BILL 428

By Massey

AN ACT to amend Tennessee Code Annotated, Section 39-13-102, relative to strangulation.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-102, is amended by deleting subdivision (a)(1)(A)(iv) in its entirety and substituting instead the following:

(iv) Involved strangulation or attempted strangulation; or

SECTION 2. Tennessee Code Annotated, Section 39-13-102(a)(1)(B), is amended by adding the following new subdivision:

(iv) Involved strangulation.

SECTION 3. Tennessee Code Annotated, Section 39-13-102(e)(1)(A)(v), is amended by deleting the subdivision in its entirety and substituting instead the following:

(v) Subdivision (a)(1)(B)(i), (iii), or (iv) is a Class D felony;

SECTION 4. Tennessee Code Annotated, Section 39-13-102, is further amended by deleting subdivision (a)(2) in its entirety and substituting instead the following:

(2) For purposes of subdivisions (a)(1)(A)(iv) and (a)(1)(B)(iv), "strangulation" means intentionally, knowingly, or recklessly impeding normal breathing or circulation of the blood by applying pressure to the throat or neck or by blocking the nose and mouth of another person, regardless of whether that conduct results in any visible injury or whether the person has any intent to kill or protractedly injure the victim.

SECTION 5. This act shall take effect July 1, 2015, the public welfare requiring it.