

SENATE BILL 596

By Kelsey

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 3, relative to aggressive panhandling.

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 aggressive panhandling who solicits a donation of money or goods in the following manner:

(1) By intentionally approaching and coming within three feet (3') of the person being solicited, unless that person has indicated that the person wishes to make a donation;

(2) By intentionally touching the person being solicited without the person's consent;

(3) By intentionally obstructing the path of the person, or of the vehicle of the person, being solicited;

(4) By following a person who is walking away from the person soliciting the donation, unless that person has indicated that the person wishes to make a donation;

(5) By using profane language or language derogatory to the person being solicited, either during the solicitation or following a refusal;

(6) By making any statement, gesture, or other communication that would cause a reasonable person to feel fear of personal harm for refusing a solicitation of a donation; or

(7) While under the influence of alcohol or an illegally used controlled substance.

(b)

(1) A first violation of this section is a Class C misdemeanor.

(2) A second or subsequent violation of this section is a Class B misdemeanor punishable by fine or a term of imprisonment not to exceed ninety (90) days, or both.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act shall be severable.

SECTION 3. This act shall take effect July 1, 2015, the public welfare requiring it.