

SENATE BILL 2398

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 39, Part 2, relative to notifications
regarding certain sexual offenders.

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

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 39, Part 2, is amended by
adding the following as a new section:

40-39-217.

(a)

(1) Any county, metropolitan form of government or municipality may, by a two-thirds (2/3) vote of the legislative body, choose to establish a community notification system whereby certain residences, schools and child-care facilities within the county, metropolitan form of government or municipality are notified when a person required to register pursuant to this part as a sexual offender or violent sexual offender resides, intends to reside, or, upon registration, declares to reside within a certain distance of such residences, schools and child-care facilities.

(2) The legislative body of any county, metropolitan form of government or municipality that enacts a community notification system pursuant to this subsection (a) may, at the same time as the system is established, enact a notification fee of not more than fifty dollars (\$50.00) per year from each offender in the county, metropolitan form of government or municipality for the purpose of defraying the costs of the community notification. The notification fee shall be collected at the same

time as the one hundred fifty dollar (\$150) administrative fee collected pursuant to § 40-39-204(b).

(b) Forms of notification a county, metropolitan form of government or municipality may elect to establish include:

(1) Notification by the sheriff's office or police department to residents, schools and child-care facilities located within a specified number of feet from the offender's residence;

(2) A community notification flyer, whether made by regular mail or hand delivered, to all legal residences within the specified area;

(3) Posting a copy of the notice in a prominent place at the office of the sheriff and at the police station closest to the declared residence of the offender;

(4) Publicizing the notice in a local newspaper, or posting electronically, including the Internet;

(5) Notifying homeowners associations within the immediate area of the declared residence of the offender; or

(6) Any other method reasonably expected to provide notification.

(c) Nothing in this section shall be construed as prohibiting the Tennessee bureau of investigation, a sheriff, or a chief of police from providing community notification under this section electronically or by publication or periodically to persons whose legal residence is more than the applicable distance from the residence of an offender.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.