

Amendment No. 1 to HB0427

Curcio
Signature of Sponsor

AMEND Senate Bill No. 1531

House Bill No. 427*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-505, is amended by deleting subsection (c) and substituting instead the following:

(c) For purposes of this section, a victim is incapable of consent if:

(1) The sexual contact with the victim occurs during the course of a consultation, examination, ongoing treatment, therapy, or other provision of professional services described in subdivision (c)(2); and

(2) The defendant, whether licensed by the state or not, is a member of the clergy, healthcare professional, or alcohol and drug abuse counselor who was treating the victim for a mental, emotional, or physical condition.

(d) Sexual battery is a Class E felony.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.