

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1151 - SB 1297

March 25, 2019

SUMMARY OF ORIGINAL BILL: Expands the offense of indecent exposure to include intentional exposure or a sex act in a public restroom, locker room, dressing room, or shower, any of which are designated for single-sex, multi-person use, and the person is a member of the opposite sex than the sex designated for use. Specifies that medical, psychiatric, or psychological diagnosis of gender dysphoria, gender confusion, or similar conditions, in the absence of untreated mental conditions, such as schizophrenia, will not serve as a defense to the offense of indecent exposure.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006477): Deletes all language after the enacting clause. Defines “public place,” as related to offenses of indecent exposure, as a place which the public or a group of persons has access and includes, but is not limited to, highways, transportation facilities, schools, places of amusement, parks, places of business, playgrounds, hallways, lobbies, restrooms, locker rooms, dressing rooms, or showers, designated for multi-person, single sex use.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 39-13-511, it is a Class B misdemeanor to intentionally expose one's genitals or buttocks or engage in sexual contact or sexual penetration and it is reasonably expected that the acts will be viewed by another and the acts will offend an ordinary viewer or are for the purpose of sexual arousal and gratification in a public place or on the private premises, or so near thereto as to be seen from the private premises.

HB 1151 - SB 1297

- There will be no significant increase in indecent expose prosecutions or convictions under the provisions of this legislation; therefore, there will not be a significant impact to state or local government revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jmg