



State of Tennessee

PUBLIC CHAPTER NO. 104

SENATE BILL NO. 1117

By White

Substituted for: House Bill No. 428

By Littleton, Mannis, Bricken, Smith, Carringer, White, Terry, Gant, Haston, Moon, Boyd, Hardaway, Powers, Ragan, Hazlewood, Garrett, Helton

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to aggravated rape of a child.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-531, is amended by deleting subsection (b) and substituting:

(b) Aggravated rape of a child is a Class A felony and shall be punished as follows:

(1) If the defendant was a juvenile at the time of the commission of the offense, then the sentence must be from within Range III, as set forth in title 40, chapter 35; and

(2) If the defendant was an adult at the time of the commission of the offense, then the sentencing provisions of title 40, chapter 35, apply except:

(A) A sentencing hearing shall not be conducted as required by § 40-35-209; and

(B) After a defendant is found guilty of aggravated rape of a child, the judge shall sentence the defendant to imprisonment for life without the possibility of parole.

SECTION 2. Tennessee Code Annotated, Section 40-35-501(i)(2), is amended by adding the following new subdivision:

(L) Aggravated rape of a child, if the defendant was a juvenile at the time of the commission of the offense;

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it, and applies to sentences imposed on or after that date.

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PASSED: March 25, 2021


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 7th day of April 2021


BILL LEE, GOVERNOR