

HOUSE BILL 1411

By Weaver

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13; Title 39, Chapter 15 and Title 40, Chapter 35, relative to criminal offenses and criminal sentencing.

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

SECTION 1. Tennessee Code Annotated, Section 39-15-401, is amended by deleting from subsection (a) the following language:

provided, however, that, if the abused child is eight (8) years of age or less, the penalty is a Class D felony.

and substituting instead the following language:

provided, however, that if the abused child is eight (8) years of age or less or is vulnerable because the victim is handicapped, the penalty is a Class D felony.

SECTION 2. Tennessee Code Annotated, Section 39-15-401, is further amended by deleting from subsection (b) the following language:

provided, that, if the abused or neglected child is eight (8) years of age or less, the penalty is a Class E felony.

and substituting instead the following language:

provided, however, that if the abused child is eight (8) years of age or less or is vulnerable because the victim is handicapped, the penalty is a Class E felony.

SECTION 3. Tennessee Code Annotated, Section 39-15-401, is further amended by deleting from subdivision (c)(1) the following language:

A parent or custodian of a child eight (8) years of age or less commits child endangerment who knowingly exposes such child

and substituting instead the following language:

A parent or custodian of a child who is eight (8) years of age or less or is vulnerable because the victim is handicapped commits child endangerment who exposes the child

SECTION 4. Tennessee Code Annotated, Section 39-15-401, is further amended by deleting subsection (g) and substituting instead the following:

(g) As used in this section:

(1) "Adversely affect the child's health and welfare" may include, but not be limited to, the natural effects of starvation or dehydration;

(2) "Handicapped" means:

(A) The person has a physical and permanent disability to such a degree that the person is unable to move from place to place without the aid of a wheelchair;

(B) The person is blind; or

(C) The person is deaf.

SECTION 5. This act shall take effect July 1, 2017, the public welfare requiring it.