



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 347**

**SENATE BILL NO. 1056**

**By Jackson, Rose, Taylor**

Substituted for: House Bill No. 1459

By Moody, Capley, Wright, Sherrell, Rudder, Hulsey, Butler, Alexander, Todd, Cepicky, Littleton, McCalmon, Haston, Davis, Carringer, Doggett

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to criminal offenses.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 2, is amended by adding the following as a new section:

**39-16-202.**

(a)(1) A warden or chief administrative officer employed by a penal institution, as defined in § 39-16-601, or the warden or administrative officer's designee, who knows that an offense enumerated in subdivision (a)(2) has occurred within the penal institution shall report the offense to the district attorney general for the judicial district in which the penal institution is located and the district attorney general who prosecuted the offense for which the offender is incarcerated within five (5) business days of becoming aware of the offense being committed.

(2) Subdivision (a)(1) applies to the following offenses:

- (A) Aggravated assault, as defined in § 39-13-102;
- (B) First degree murder, as defined in § 39-13-202;
- (C) Second degree murder, as defined in § 39-13-210;
- (D) Voluntary manslaughter, as defined in § 39-13-211;
- (E) Criminally negligent homicide, as defined in § 39-13-212;
- (F) Aggravated rape, as defined in § 39-13-502;
- (G) Rape, as defined in § 39-13-503;
- (H) Aggravated sexual battery, as defined in § 39-13-504;
- (I) Sexual battery, as defined in § 39-13-505; and
- (J) Indecent exposure, as defined in § 39-13-511(c).

(b) A violation of this section is a Class A misdemeanor.

SECTION 2. Tennessee Code Annotated, Section 40-35-115(b), is amended by adding the following as a new subdivision:

(9) The defendant was incarcerated at the time of the offense and is convicted of an offense enumerated in § 39-16-202(a)(2).

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.

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PASSED: April 19, 2023

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 5<sup>th</sup> day of May 2023

  
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BILL LEE, GOVERNOR