

HOUSE BILL 1640

By Ogles

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 5 and Title 40, Chapter 35, relative to sexual offenses.

WHEREAS, all sexual offenses are especially heinous and, other than murder, represent the worst offenses committed against a person in our society; and

WHEREAS, probation should be reserved for offenders who do not present a threat to society and who can be safely supervised while on probation in the community; and

WHEREAS, the offense of rape, like the offense of murder, is especially heinous, and a rape victim should not have to worry about encountering their convicted rapist in the community while the rapist is serving a probated sentence for this atrocious crime; and

WHEREAS, it is right that crime victims in this State should receive both justice and restitution; and

WHEREAS, it is the express intent of the General Assembly that an offender convicted of the offense of rape shall not be eligible for a probated sentence and shall not be granted the privilege of remaining in the community to serve any portion of their sentence on probation; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 40-35-303(a), is amended by deleting the language "§ 39-13-402, § 39-13-504" and substituting the language "§ 39-13-402, § 39-13-503, § 39-13-504".

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it, and applies to offenses committed on or after that date.