

HOUSE BILL 1650

By Lamar

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 11, Part 6, relative to justifications
excluding criminal responsibility.

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

SECTION 1. Tennessee Code Annotated, Section 39-11-611(b), is amended by adding the following language as a new subdivision:

(3) For purposes of this subsection (b), a person is not engaged in unlawful activity or in a place where the person does not have a right to be if the person is engaged in the activity or in the place due to the person's status as a victim of human trafficking. The person must prove the person's status as a victim of human trafficking by clear and convincing evidence. The person may provide clear and convincing evidence through testimony or an affidavit.

SECTION 2. Tennessee Code Annotated, Section 39-11-611(d), is amended by deleting subdivision (3) and substituting instead the following:

(A) Notwithstanding § 39-17-1322, the person using force is engaged in an unlawful activity or is using the dwelling, business, residence, or occupied vehicle to further an unlawful activity.

(B) For purposes of subdivision (d)(3)(A), a person is not engaged in unlawful activity or using a dwelling, business, residence, or occupied vehicle to further unlawful activity if the person is engaged in the activity or using the dwelling, business, residence, or occupied vehicle due to the person's status as a victim of human trafficking. The person must prove the person's status as a victim of human trafficking by clear and

convincing evidence. The person may provide clear and convincing evidence through testimony or an affidavit; or

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it.