

HOUSE BILL 1783

By McCormick

AN ACT to amend Tennessee Code Annotated, Title 39,
relative to theft.

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

SECTION 1. Tennessee Code Annotated, Section 39-11-106(a), is amended by deleting subdivision (35) in its entirety and substituting instead the following:

(35) "Services" includes labor, skill, professional service, transportation, telephone, mail, gas, electricity, steam, water, cable television, entertainment subscription service or other public services, accommodations in hotels, restaurants or elsewhere, admissions to exhibitions, use of vehicles or other movable property, and any other activity or product considered in the ordinary course of business to be a service, regardless of whether it is listed in this subdivision (a)(35) or a specific statute exists covering the same or similar conduct; and

SECTION 2. Tennessee Code Annotated, Section 39-14-104, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) Any individual who is directly or indirectly harmed by a violation of subsection (a) shall have legal standing to report the violation to law enforcement and testify in support of corresponding criminal charges.

SECTION 3. Tennessee Code Annotated, Section 39-14-105, is amended by deleting subdivisions (1) and (2) in their entireties and by substituting instead the following:

(1) Except as provided in subdivision (2)(B), a Class A misdemeanor if the value of the property or services obtained is five hundred dollars (\$500) or less;

(2) A Class E felony if either:

(A) The value of the property or services obtained is more than five hundred dollars (\$500) but less than one thousand dollars (\$1,000), or

(B)

(i) The value of the property or services obtained is five hundred dollars (\$500) or less; and

(ii) The offense is the offender's second or subsequent offense after July 1, 2011, which involves theft of entertainment subscription services.

SECTION 4. This act shall take effect July 1, 2011, the public welfare requiring it.