

HOUSE BILL 2356

By Littleton

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

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

SECTION 1. Tennessee Code Annotated, Section 39-13-505, is amended by deleting subsection (c) and substituting instead the following:

(c) For purposes of this section, a victim is incapable of consent if:

(1) The sexual contact with the victim occurs during the course of a consultation, examination, ongoing treatment, therapy, or other provision of professional services described in subdivision (c)(2); and

(2) The defendant, whether licensed or not by the state, is a physician, psychologist, psychiatrist, therapist, social worker, nurse, chemical dependency counselor, member of the clergy, or other person who provides or purports to provide treatment for a mental, emotional, or physical condition, or an interpersonal relationship.

(d) Sexual battery is a Class E felony.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it.