



State of Tennessee

PUBLIC CHAPTER NO. 805

SENATE BILL NO. 1802

By Taylor, Johnson, Yager, Haile, Stevens, Bowling, Walley, White

Substituted for: House Bill No. 2611

By Zachary, Davis, Faison, McCalmon, Todd, Moody, Grills, Doggett, Burkhart, Crawford, Baum, Sherrell, Littleton, Vital, Capley

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 6 and Title 38, Chapter 6, relative to criminal offenses.

WHEREAS, the General Assembly finds and declares that:

(1) An effective means of protecting the public is a concentrated effort to identify and prosecute those who promote or facilitate commercial sex acts and to treat victims of human trafficking with dignity and compassion; and

(2) Human trafficking impacts the most vulnerable and underserved populations, and victims are often men, women, and children who have a history of child abuse or domestic violence; and

(3) Human trafficking is often perpetrated by family members, peers, and organized criminal gangs; and

(4) Today, there are over forty million victims of human trafficking worldwide, and many victims do not identify themselves as victims; and

(5) Human trafficking schemes have become increasingly sophisticated and require significant time and resources to effectively investigate and prosecute; and

(6) Human trafficking schemes conduct criminal activity across jurisdictional borders within this state; and

(7) Despite the hard work and determination of both state and local officials, human trafficking reports have increased dramatically in recent years; and

(8) The best way to achieve the greatest impact of punishing and deterring human trafficking is to empower the attorney general and reporter to conduct multi-jurisdictional investigations and prosecutions; now, therefore,

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

SECTION 1. This act is known and may be cited as "The District Attorney General Second Opinion Act."

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) In any investigation involving a human trafficking offense, as defined in § 39-13-314, an organized crime offense, under title 39, chapter 12, part 2, or an offense classified as a Class A or Class B felony, in which a district attorney general declines prosecution, an investigating state or local law enforcement agency may report and submit evidence of the offense to the district attorney general for another judicial district, in which jurisdiction and venue over the offense are proper, according to law and consistent with Rule 18 of the Tennessee Rules of Criminal Procedure, for consideration and action.

(b) This section does not affect, impair, or limit the sole, exclusive, and absolute discretion of a district attorney general in the performance of duties and responsibilities, or in the allocation of any investigatory, prosecutorial, administrative, staffing, and fiscal resources available to the district attorney general pursuant to § 8-7-103.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: April 11, 2024



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 29th day of April 2024



BILL LEE, GOVERNOR