

SENATE BILL 18

By Massey

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 2, Part 1, relative to the time within which prosecution for certain offenses must be commenced.

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

SECTION 1. Tennessee Code Annotated, Section 40-2-101, is amended by deleting subsection (l) and substituting instead the following:

(l)

(1) Unless prosecution of the offense is barred because the applicable limitation of time otherwise established in this section for prosecution of the offense expired prior to the effective date of this act, prosecution for the following offenses may be prosecuted, tried, and punished at any time after commission of the offense:

(A) Aggravated rape under § 39-13-502;

(B) Rape under § 39-13-503;

(C) Rape of a child under § 39-13-522; and

(D) Aggravated rape of a child under § 39-13-531.

(2) For subdivision (l)(1) to apply, within three (3) years of the date one (1) of the offenses listed in subdivision (l)(1) was committed, the victim or the victim's parent or legal guardian is required to report the offense to the law enforcement agency or the office of the district attorney general with jurisdiction over the offense.

(3) If the victim of a crime listed in subdivision (l)(1) was a child and the statute of limitation in subdivision (l)(1) does not apply because the reporting requirement in subdivision (l)(2) was not timely satisfied, the following shall apply:

(A) For aggravated rape, rape, and rape of a child, prosecution shall be commenced within the time established in subdivision (h)(2); and

(B) For aggravated rape of a child, prosecution shall be commenced within the time established in subdivision (i)(2).

(4) If the victim of a crime listed in subdivision (l)(1) was an adult and the statute of limitation in subdivision (l)(1) does not apply because the reporting requirement in subdivision (l)(2) was not timely satisfied, prosecution shall be commenced within the times otherwise provided by this section.

SECTION 2. Tennessee Code Annotated, Section 40-2-101(h)(2), is amended by deleting the language "but prior to July 1, 2014,".

SECTION 3. Tennessee Code Annotated, Section 40-2-101(i)(2), is amended by deleting the language "but prior to July 1, 2014,".

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.