

SENATE BILL 69

By Bunch

AN ACT to amend Tennessee Code Annotated, Title 39,
relative to terroristic threats and acts.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 3, is amended by adding a new, appropriately designated section:

Section 39-17-318.

(a) A person commits the offense of a terroristic threat who threatens to:

(1) Commit any crime of violence;

(2) Release any hazardous substance as defined by 42 U.S.C. § 9601;

(3) Burn or damage property with the purpose of terrorizing another or causing the evacuation of a building, place of assembly or facility of public transportation; or

(4) Cause serious public inconvenience in reckless disregard of the risk of causing such terror or inconvenience.

(b) No person shall be convicted under subsection (a) solely on the uncorroborated testimony of the party to whom a terroristic threat is communicated.

(c) A person commits the offense of a terroristic act who:

(1) Uses a burning or flaming cross or other burning or flaming symbol or flambeau with the intent to terrorize another or another's household;

(2) Shoots at or throws an object at a conveyance that is being operated or that is occupied by passengers; or

(3) Releases any hazardous substance as defined by 42 U.S.C. § 9601 or releases any simulated hazardous substance under the guise of a hazardous

substance for the purpose of terrorizing another or causing the evacuation of a building, place of assembly, or facility of public transportation.

(d) A violation of subsection (a) is a Class E felony.

(e) A violation of subsection (c) is a Class D felony; however, if any person suffers serious physical injury as a direct result of an act giving rise to a violation of subsection (c), the violation shall be classified as a Class A felony.

(f) A person shall be guilty of the offense of a terroristic threat or act who commits or attempts to commit a terroristic threat or act with the intent to retaliate against any person who:

(1) Attends a judicial or administrative proceeding as witness, attorney, judge or party for the purpose of producing any record, document, or other object in a judicial or official proceeding; or

(2) Provides to a law enforcement officer, adult or juvenile probation officer, prosecuting attorney, or judge any information relating to the commission or possible commission of an offense under the laws of this state or of the United States or any information relating to the commission of a violation of the conditions of bail, pretrial release, probation or parole.

(g)

(1) A violation of subsection (f) by the commission of or attempted commission of a terroristic threat is a Class C felony.

(2) A violation of subsection (f) by the commission of or attempted commission of a terroristic act is a Class B felony.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.