

SENATE BILL 187

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, Chapter 35, relative to criminal
offense enhancement factors.

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

SECTION 1. Tennessee Code Annotated, Section 40-35-114, is amended by adding the following new, appropriately designated subdivision:

() The defendant commits the offense:

(A) During the time period between the occurrence of a disaster or emergency and, as determined by the sentencing judge, when the disaster or emergency ends or ceases to be a threat to the orderly administration of government or persons in the geographic area affected by it, regardless of whether, at the time of the offense, a state of emergency, as defined in § 58-2-101, has been declared by a county, the governor, or the president of the United States;

(B) Within the geographic area affected by the disaster or emergency;

and

(C) Knowing of the existence of the disaster or emergency.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.