

SENATE BILL 545

By Robinson

AN ACT to amend Tennessee Code Annotated, Title 28;
Title 39 and Title 40, relative to statutes of
limitation for certain acts involving children.

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

SECTION 1. Tennessee Code Annotated, Section 28-3-116, is amended by deleting the section and substituting instead the following:

(a) As used in this section:

(1) "Child sexual abuse" means any act set out in § 37-1-602(a)(3) that occurred when the victim was a minor; and

(2) "Injury or illness" means either a physical injury or illness or a psychological injury or illness.

(b) Notwithstanding § 28-3-104, a civil action for an injury or illness based on child sexual abuse that occurred when the injured person was a minor may be brought at any time.

SECTION 2. Tennessee Code Annotated, Section 40-2-101, is amended by adding the following new subsection:

() Notwithstanding subsections (b), (g), (h), (i), (j), (k), (l), or (m), a person may be prosecuted, tried, and punished at any time after the commission of an offense if:

(1) The offense was committed on or after July 1, 2019;

(2) The victim of the offense was a minor; and

(3) The offense was one (1) of the following:

(A) Trafficking for a commercial sex act, as prohibited by § 39-13-309;

- (B) Aggravated rape, as prohibited by § 39-13-502;
- (C) Rape, as prohibited by § 39-13-503;
- (D) Aggravated sexual battery, as prohibited by § 39-13-504;
- (E) Sexual battery, as prohibited by § 39-13-505;
- (F) Mitigated statutory rape, as prohibited by § 39-13-506;
- (G) Statutory rape, as prohibited by § 39-13-506;
- (H) Aggravated statutory rape, as prohibited by § 39-13-506(c);
- (I) Indecent exposure, as prohibited by § 39-13-511, when the offense is classified as a felony offense;
- (J) Patronizing prostitution, as prohibited by § 39-13-514;
- (K) Promotion of prostitution, as prohibited by § 39-13-515;
- (L) Continuous sexual abuse of a child, as prohibited by § 39-13-518;
- (M) Rape of a child, as prohibited by § 39-13-522;
- (N) Sexual battery by an authority figure, as prohibited by § 39-13-527;
- (O) Solicitation of a minor, as prohibited by § 39-13-528, when the offense is classified as a felony offense;
- (P) Soliciting sexual exploitation of a minor — exploitation of a minor by electronic means, as prohibited by § 39-13-529;
- (Q) Aggravated rape of a child, as prohibited by § 39-13-531;
- (R) Statutory rape by an authority figure, as prohibited by § 39-13-532;
- (S) Unlawful photographing, as prohibited by § 39-13-605, when the offense is classified as a felony offense;
- (T) Observation without consent, as prohibited by § 39-13-607, when the offense is classified as a felony offense;

(U) Incest, as prohibited by § 39-15-302;

(V) Use of minor in producing obscene material or exhibition, as prohibited by § 39-17-902;

(W) Sexual exploitation of a minor, as prohibited by § 39-17-1003;

(X) Aggravated sexual exploitation of a minor, as prohibited by § 39-17-1004; or

(Y) Especially aggravated sexual exploitation of a minor, as prohibited by § 39-17-1005.

SECTION 3. This act shall take effect July 1, 2019, the public welfare requiring it.