

SENATE BILL 567

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 6, Part 1 and Section 39-13-519, relative to sexual offenses.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-519(b), is amended by deleting the subsection and substituting instead the following:

(b) A victim of a sexually oriented crime is entitled to a forensic medical examination without charge to the victim as provided in § 29-13-118. Upon the conclusion of the forensic examination, the healthcare provider shall notify the applicable law enforcement agency that a sexual assault evidence collection kit or hold kit is ready for release. Within seven (7) days of being notified, the law enforcement agency must pick up the collection kit or hold kit for storage or transmission to the state crime lab or other similar qualified laboratory for either serology or deoxyribonucleic acid (DNA) testing.

SECTION 2. Tennessee Code Annotated, Section 39-13-519(d)(1), is amended by deleting the language "sixty (60) days" and substituting instead the language "forty-five (45) days".

SECTION 3. Tennessee Code Annotated, Section 39-13-519(d)(2), is amended by deleting the language "sixty (60) days" and substituting instead the language "forty-five (45) days".

SECTION 4. Tennessee Code Annotated, Section 39-13-519(d)(2), is amended by deleting the language "for a minimum of three (3) years" and substituting instead the language "ten (10) years".

SECTION 5. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following language as a new section:

(a) As used in this section, "forensic medical examination", "law enforcement agency", "sexual assault evidence collection kit", and "victim" have the same meaning as defined in § 39-13-519.

(b) The Tennessee bureau of investigation shall develop and implement an electronic system that maintains the location and laboratory analysis status of each sexual assault evidence collection kit released to a law enforcement agency at the conclusion of a forensic medical examination no later than January 1, 2022.

(c) The system must have the capacity to allow a victim to track by internet the location and status of the victim's sexual assault evidence collection kit by use of a tracking number provided to the victim by the law enforcement agency receiving the sexual assault evidence collection kit after the conclusion of the forensic medical examination. At any time, the victim must be able to use the tracking number by inputting it into an online system to determine the current location and laboratory analysis status of the victim's sexual assault evidence collection kit.

(d) The Tennessee bureau of investigation shall create a written pamphlet explaining how to access and use the tracking system. The law enforcement agency shall provide the pamphlet to the victim with the tracking number.

(e) All law enforcement agencies, medical facilities, crime laboratories, and other facilities that conduct, receive, maintain, store, or preserve sexual assault forensic evidence kits must fully participate in the tracking system within one (1) year of the tracking system's initial date of operation.

(f) Records and information within the tracking system described in this section are confidential.

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.