



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 278**

### **SENATE BILL NO. 1059**

**By Hensley, Pody, Rose, White**

Substituted for: House Bill No. 841

By Lynn, Barrett, McCalmon, Fritts, Sparks, Powers, White, Littleton, Moody, Todd, Howell, Cepicky

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 9, relative to obscenity.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-902(a), is amended by designating the current language as subdivision (a)(1) and adding the following new subdivision (a)(2):

(2) It is unlawful for a book publisher, distributor, or seller to knowingly sell or distribute obscene matter to a public school serving any of the grades kindergarten through twelve (K-12).

SECTION 2. Tennessee Code Annotated, Section 39-17-902(c), is amended by deleting "subsection (a)" wherever it appears and substituting "subdivision (a)(1)".

SECTION 3. Tennessee Code Annotated, Section 39-17-902(c), is amended by adding the following as a new subdivision:

(3) A violation of subdivision (a)(2) is a Class E felony, and, in addition, a violator shall be fined an amount not less than ten thousand dollars (\$10,000) nor more than one hundred thousand dollars (\$100,000).

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.

SENATE BILL NO. 1059

PASSED: April 17, 2023

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 28<sup>th</sup> day of April 2023

  
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BILL LEE, GOVERNOR