

SENATE BILL 1426

By Norris

AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 6, Part 1, relative to forensic medical examinations.

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

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

38-6-123.

(a) As used in this section:

(1) "Forensic medical examination" means an examination provided to the victim of a sexually-oriented criminal offense by a health care provider for the purpose of gathering and preserving evidence of a sexual assault for use in a court of law;

(2) "Sexual assault collection kit" means a human biological specimen or specimens collected by a health care provider during a forensic medical examination from the victim of a sexually-oriented criminal offense; and

(3) "Untested sexual assault collection kit" means a sexual assault collection kit that has not been submitted to the Tennessee bureau of Investigation or a similar qualified laboratory for either a serology or deoxyribonucleic acid (DNA) test.

(b) By July 1, 2014, all law enforcement agencies and departments charged with the maintenance, storage and preservation of sexual assault

collection kits shall conduct an inventory of all such kits being stored by the agency or department.

(c) By July 1, 2014, each law enforcement agency shall compile, in writing, a report containing the number of untested sexual assault collection kits in the possession of the agency or department and the date the sexual assault kit was collected. The report shall be transmitted to the Tennessee Bureau of Investigation.

(d) By September 1, 2014, the Tennessee Bureau of Investigation shall prepare and transmit a report to the speaker of the senate and speaker of the house of representatives containing the number of untested sexual assault collection kits being stored by each county, by each law enforcement agency or department, and the date the untested kit was collected.

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