

SENATE BILL 1679

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 13, Part 5 and Title 40, Chapter 39,
relative to sexual offenses.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 5, is amended by adding the following as a new section:

(a) It is an offense for a defendant to engage in unlawful sexual contact with a minor when:

(1) The minor is at least thirteen (13) but less than eighteen (18) years of age;

(2) The defendant is at least four (4) years older than the victim; and

(3) The defendant was, at the time of the offense, in a position of trust, or had supervisory or disciplinary power over the minor by virtue of the defendant's legal, professional, or occupational status and used the position of trust or power to accomplish the sexual contact; or

(4) The defendant had, at the time of the offense, parental or custodial authority over the minor and used the authority to accomplish the sexual contact

(b) As used in this section, "sexual contact" means the defendant intentionally touches or kisses the minor's lips with the defendant's lips if such touching can be reasonably construed as being for the purpose of sexual arousal or gratification.

(c) Sexual contact by an authority figure is a Class A misdemeanor with a mandatory minimum fine of one thousand dollars (\$1,000).

(d) Each instance of unlawful sexual contact shall be considered a separate offense.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.