

SENATE BILL 2297

By McNally

AN ACT to amend Tennessee Code Annotated, Title 38 and Title 39, relative to the reporting of criminal conduct.

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

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

38-1-107.

(a) It is an offense if a person:

- (1) Witnesses conduct that results in serious bodily injury to another person;
- (2) Reasonably believes the conduct is criminal in nature; and
- (3) Fails to report or make a statement to a law enforcement official with jurisdiction over the conduct within a reasonable period of time under the circumstances.

(b) Subsection (a) shall not apply to the following:

- (1) A person who is unable to provide a report or make a statement because of incapacity, disability, or while under duress;
- (2) A person under a duty to report certain types of injuries under § 38-1-101; or
- (3) A person who is chargeable for the offense or offenses witnessed because the person is:
  - (A) A party to the offense under § 39-11-401;
  - (B) Criminally responsible for the offense under § 39-11-402; or

(C) Facilitating the offense under § 39-11-403.

(c) For purposes of this section, “statement” means:

(A) The facts and circumstances surrounding the injury; and

(B) The attendant criminal conduct.

(d) Any person who fails to provide a report or make a statement pursuant to this section commits a Class C misdemeanor.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.