

SENATE JOINT RESOLUTION 35

By Walley

A RESOLUTION to reject and express disapproval of the American Law Institute's 2022 changes to Article 213 of the Model Penal Code: Sexual Assault and Related Offenses.

WHEREAS, the U.S. Department of Justice, the National Association of Attorneys General, and the National Center for Missing and Exploited Children have publicly opposed the changes to Article 213 of the Model Penal Code: Sexual Assault and Related Offenses; and

WHEREAS, all fifty states and the District of Columbia maintain sex offender registries that are open to the public via websites, and Article 213 of the Model Penal Code: Sexual Assault and Related Offenses now mandates the hiding of sex-offender registries from the public; and

WHEREAS, among numerous additional profoundly anti-victim changes, Article 213 of the Model Penal Code: Sexual Assault and Related Offenses now permits a mistake of age defense for defendants accused of attempting to purchase a child for the purposes of prostitution; and

WHEREAS, the State of Tennessee remains wholly and completely committed to justice for victims, protection of the vulnerable, and the safety of our citizens from sexual predators; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED THIRTEENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that we hereby formally reject the American Law Institute's 2022 changes to Article 213 of the Model Penal Code: Sexual Assault and Related Offenses and the urge the American Law Institute to return to the principles of justice in the creation of its model penal codes.