

**CHAPTER NO. 897**

**SENATE BILL NO. 2813**

**By McNally, Finney, Burks**

**Substituted for: House Bill No. 2838**

**By Coleman, Overbey, Maddox, Lois DeBerry, Sontany, Pruitt, Gresham, DuBois**

AN ACT to amend Tennessee Code Annotated, Section 39-13-527, relative to the offense of sexual battery by an authority figure.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-527, is amended by deleting the section in its entirety and substituting instead the following:

(a) Sexual battery by an authority figure is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by the following circumstances:

(1) The victim was, at the time of the offense, thirteen (13) years of age or older but less than eighteen (18) years of age; or

(2) The victim was, at the time of the offense, mentally defective, mentally incapacitated or physically helpless, regardless of age; and,

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

(B) The defendant had, at the time of the offense, parental or custodial authority over the victim and used such authority to accomplish the sexual contact.

(b) Sexual battery by an authority figure is a Class C felony.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.

PASSED: May 27, 2006

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 20<sup>th</sup> day of June 2006

  
PHIL BREDESEN, GOVERNOR