

PUBLIC CHAPTER NO. 744**HOUSE BILL NO. 3798****By Representatives Bass, Sherry Jones, Hardaway, Pitts****Substituted for: Senate Bill No. 3980****By Senators Woodson, Williams, Burks, Harper, Marrero**

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1, relative to the offense of domestic assault.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-111, is amended by deleting the section in its entirety and substituting instead the following:

(a) As used in this section "domestic abuse victim" means any person who falls within the following categories:

(1) Adults or minors who are current or former spouses;

(2) Adults or minors who live together or who have lived together;

(3) Adults or minors who are dating or who have dated or who have or had a sexual relationship but does not include fraternization between two (2) individuals in a business or social context;

(4) Adults or minors related by blood or adoption;

(5) Adults or minors who are related or were formerly related by marriage; or

(6) Adult or minor children of a person in a relationship that is described in subdivisions (1)-(5);

(b) A person commits domestic assault who commits an assault as defined in § 39-13-101 against a domestic abuse victim.

(c)

(1) Domestic assault is punishable the same as assault in § 39-13-101.

(2) In addition to any other punishment that may be imposed for a violation of this section, if, as determined by the court, the defendant possesses the ability to pay, a fine in an amount not in excess of two hundred dollars (\$200), then the court shall impose a fine at the level of

the defendant's ability to pay, but not in excess of two hundred dollars (\$200). The additional fine shall be paid to the clerk of the court imposing sentence, who shall transfer it to the state treasurer, who shall credit the fine to the general fund. All fines so credited to the general fund shall be subject to appropriation by the general assembly for the exclusive purpose of funding family violence shelters and shelter services. This appropriation shall be in addition to any amount appropriated pursuant to § 67-4-411.

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

PASSED: March 20, 2008



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 10th day of April 2008



PHIL BREDESEEN, GOVERNOR