AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to crimes committed against minors.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 6, is amended by adding the following new section:

39-13-611.

(a) A person commits the offense of aggravated unlawful photographing when the person knowingly photographs, or causes to be photographed a minor, when the minor has a reasonable expectation of privacy, if the photograph:

(1) Depicts the minor in a state of nudity; and

(2) Was taken for the purpose of sexual arousal or gratification of the defendant.

(b) As used in this section:

(1) "Nudity" has the meaning given in § 39-17-901; and

(2) "Photograph" has the meaning given in § 39-13-605.

(c) A violation of subsection (a) is a Class C felony.

(d) Nothing in this section shall preclude the state from electing to prosecute conduct in violation of this section under any other applicable section, including chapter 17, parts 9 and 10 of this title.

SECTION 2. Tennessee Code Annotated, Section 40-39-202(20)(A), is amended by adding the following new subdivision:

( ) Aggravated unlawful photography, under § 39-13-611;

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.
HOUSE BILL NO. 830

PASSED: April 30, 2019

GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES

RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 22nd day of May 2019

BILL LEE, GOVERNOR