

SENATE BILL 1505

By Briggs

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 13, Part 1 and Title 39, Chapter 13, Part
2, relative to crimes involving minor victims.

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

SECTION 1. This act shall be known and may be cited as the "JaJuan Latham Act".

SECTION 2. Tennessee Code Annotated, Section 39-13-102, is amended by adding the following as a new subdivision (e)(4):

(4) Notwithstanding this subsection (e), a person convicted of a violation of subdivision (a)(1)(A)(i), (a)(1)(A)(ii), (a)(1)(B)(i), or (a)(1)(B)(ii) shall be punished one (1) classification higher than is otherwise provided if:

(A) The violation was committed by discharging a firearm from within a motor vehicle, as defined by § 55-1-103; and

(B) The victim was a minor at the time of the violation.

SECTION 3. Tennessee Code Annotated, Title 39, Chapter 13, Part 2, is amended by adding the following new section:

(a) Notwithstanding title 40, chapter 35, a person convicted of a violation of § 39-13-210 shall be punished as a Range II offender; however, the sentence imposed upon such person may, if appropriate, be within Range III but in no case shall it be lower than Range II, if the violation occurred as provided in subsection (c).

(b) Notwithstanding this part, a person convicted of a violation of § 39-13-211, § 39-13-212, or § 39-13-215 shall be punished one (1) classification higher than is otherwise provided if the violation occurred as provided in subsection (c).

(c) This section shall apply if:

(1) The violation was committed by discharging a firearm from within a motor vehicle, as defined by § 55-1-103; and

(2) The victim was a minor at the time of the violation.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.