

Bills to Support

Friday, June 1, 2007

SB
0192* **CRIMINAL LAW: Offense of statutory rape - age of defendant.**
Burchett Specifies that for the offense of statutory rape, the defendant must be more
HB 0713 than five years older than the victim but less than ten years older, thereby
Tindell distinguishing statutory rape from the more serious offense of aggravated
statutory rape.
Amendments: House Judiciary, Senate Judiciary amendment 1 rewrites the
bill. Adds sexual exploitation of a minor, aggravated sexual exploitation of a
minor, and especially aggravated sexual exploitation of a minor to offenses
that are ineligible for probation or judicial diversion. Specifies that offender
shall serve 100 percent of sentence imposed by the court less sentence credits
earned. Offenses relate to sexually explicit material involving children.

TCA Secs. 39-00-0000; 39-15-0506; 40-00-0000

Senate Status: Senate Judiciary 04/10/2007 recommended with amendment.
Sent to Senate Finance, Ways & Means.

House Status: House Finance Budget Subcommittee 04/11/2007 set behind
budget.

Other Status: Oversight Corrections Committee 04/09/2007 reviewed,
comment adopted and released to full committee.

SB
0196* **FAMILY LAW: Protection extended to family pets.** Expands definition of
Burchett domestic abuse to include physical harm, attempted physical harm, or
HB 1161 threatened physical harm to a pet of an adult or minor. Requires court to
Sontany place an animal with the petitioner or in foster care in a protective order,
rather than with the respondent.

Amendments: House amendment 1 clarifies malicious damage to the
personal property of the abused party includes inflicting, or attempting to
inflict, physical injury on any animal owned, possessed, leased, kept, or held
by an adult or minor, or placing an adult or minor in fear of physical harm to
any animal owned.

TCA Secs. 36-03-0600; 36-03-0601; 36-03-0606

Senate Status: Senate passed 05/17/2007.

House Status: House 05/07/2007 passed with amendment 1.

Other Status: Sent to the speakers for signatures 05/17/2007.

SB
0285* **CRIMINAL LAW: Aggravated assault - bodily injury caused by**
Burchett **strangulation.** Revises definition of aggravated assault to include person
HB 0456 who attempts or intends to cause serious bodily injury to the victim by
strangulation, regardless of whether actual injury to the victim occurs.

Sontany **Amendments:** Senate Judiciary amendment 1 removes "serious" before bodily injury and clarifies strangulation includes blocking the nose and mouth of another.

TCA Secs. 39-13-0100; 39-13-0102

Senate Status: Senate Judiciary 04/24/2007 recommended with amendment. Sent to Senate Finance, Ways & Means.

House Status: House Finance Budget Subcommittee 05/09/2007 set behind budget.

SB 0723 **FAMILY LAW: Domestic abuse law.** Makes technical changes to domestic
Woodson abuse law. Specifies that abuse victims filing petitions for relief of said abuse
HB are not responsible for paying any fees related to the filing of such petitions;
0402* states that the court may modify or extend the petition either on its own
Jones S. motion or upon that of the petitioner.

Amendments: Senate amendment 1 clarifies that in order for a court to extend an order of protection, a respondent must have been properly served and afforded the opportunity for a hearing.

TCA Secs. 36-03-0600; 36-03-0601; 36-03-0602; 36-03-0605; 36-03-0617

Senate Status: Senate 05/16/2007 refused to recede from its action.

House Status: House 05/17/2007 concurred in Senate amendment 1.

Other Status: Sent to the speakers for signatures 05/17/2007.

SB **CRIMINAL LAW: Sexual assault forensic examination fund.** Extends
0724* compensation for sexual assault victims to include "full out-of-pocket
Woodson expenses" with regard to any expenses incurred due to forensic examinations
HB 1188 up to \$750. Changes appropriation of fines collected pursuant to sexual
Jones S. offense convictions from funding sexual assault program services to funding
forensic medical examinations. Changes the sexual assault program services to sexual assault forensic examination fund.

Amendments: House Judiciary amendment 1 clarifies that all claims for forensic medical exams are eligible for payment from the criminal injuries compensation fund.

TCA Secs. 29-13-0100; 29-13-0105; 40-24-0000; 40-24-0108; 71-06-0300;
71-06-0301; 71-06-0302; 71-06-0303

Senate Status: Senate Judiciary 02/27/2007 recommended. Sent to Senate Finance, Ways & Means.

House Status: House Finance Budget Subcommittee 04/25/2007 set behind budget.

SB 0947 **LABOR LAW: Unemployment compensation for domestic violence**

Harper
HB
0049*
Turner
M.

victims. Prohibits an individual from being denied unemployment insurance benefits because such individual left work or was discharged due to circumstances resulting from being a victim of domestic violence.
Amendments: House Consumer & Employee Affairs amendment 1 requires proof of domestic abuse (ex. restraining order) to qualify for this compensation.

TCA Secs. 50-07-0000; 50-07-0302

Senate Status: Taken off notice in Senate Commerce, Labor & Agriculture 04/17/2007.

House Status: House Finance Budget Subcommittee 05/09/2007 set behind budget.

SB 0994
Harper
HB
0508*
Kernell

GOVERNMENT ORGANIZATION: Sunset - domestic violence state coordinating council. Sunsets the domestic violence state coordinating council on June 30, 2011.

TCA Secs. 04-29-0000; 04-29-0228; 04-29-0232; 38-12-0000

Senate Status: Referred to Senate Government Operations.

House Status: Referred to House Government Operations.

SB 1551
Burks
HB
1183*
Jones S.

FAMILY LAW: Requires reporting of domestic violence. Requires, rather than encourages, health care practitioners knowing or suspecting that a patient's injuries are the result of domestic violence to report such injuries, as well as information upon which the suspicion of abuse is based, monthly to the department of health, office of health statistics.
Amendments: House amendment 1 makes the bill. Requires health care providers who know of or suspect domestic abuse to report such statistical information to the department of health. Adds a two-year sunset. Removes veterinarians from such requirement.

TCA Sec. 36-03-0621

Senate Status: Senate passed 04/12/2007.

House Status: House 04/09/2007 passed with amendment 1.

Other Status: Enacted as Public Chapter 0083 (effective 07/01/2007).

SB
1778*
Burchett
HB 1628
Sontany

CRIMINAL LAW: Persons convicted of sexual exploitation of a minor. Specifies that a person convicted of sexual exploitation of a minor is ineligible for judicial diversion.

TCA Sec. 40-35-0313

Senate Status: Senate Judiciary 04/03/2007 recommended. Sent to Senate

Finance, Ways & Means.

House Status: Taken off notice in House Criminal Practice Subcommittee
03/21/2007.

SB
1963*
Ketron
HB 1730
Yokley

CRIMINAL LAW: Automated victim notification system. Deletes
statutory requirement that the district attorneys general conference is to
establish and administer an automated victim notification system, subject to
availability of federal funding.

TCA Sec. 40-38-0118

Senate Status: Senate passed 03/12/2007.

House Status: House passed 04/12/2007.

Other Status: Enacted as Public Chapter 0056 (effective 04/24/2007).