<BillNo> <Sponsor>

HOUSE BILL 1177

By Sexton J

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, relative to observation without consent.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-607, is amended by adding the following new subsections:

(f) For the purposes of this section, an ordinary person in a single-sex, multi-person use restroom, locker room, dressing room, or shower:

(A) Has a reasonable expectation of privacy from a member of the opposite sex; and

(B) Would be offended or embarrassed if the person knew that the person was being viewed by a member of the opposite sex.

(g) For the purposes of this section, a person's sex is the sex listed on the person's birth certificate.

SECTION 2. Tennessee Code Annotated, Section 39-13-607, is amended by deleting subsection (d) and substituting:

(d)

(1) A violation of this section is a Class A misdemeanor.

(2) A violation of this section is a Class E felony if the victim is under thirteen (13) years of age at the time the offense is committed.

(3)

(A) The first violation of this section under the circumstances described in subsection (f) is a Class C misdemeanor.

(B) The second or subsequent violation of this section under the circumstances described in subsection (f) is a Class B misdemeanor.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.