

HOUSE BILL 240

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 38;
Title 39 and Title 40, relative to victims of sexual
offenses.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-519(f), is amended by redesignating the current language as subdivision (f)(1) and adding the following new subdivision:

(2) The investigating agency shall not release the results of a DNA data analysis to the public before notifying the victim of the results unless the investigating agency has made a reasonable effort to contact the victim on multiple days and has been unsuccessful in notifying the victim of the results.

SECTION 2. Tennessee Code Annotated, Section 40-38-119(b)(6), is amended by deleting the subdivision and substituting instead:

(6) Be informed, prior to release of such information to the public, of whether a DNA sample was obtained from the analysis and whether the analysis resulted in a match to a DNA profile in state or federal databases unless disclosure would impede or compromise the investigation; and

SECTION 3. Tennessee Code Annotated, Section 40-38-119, is amended by adding the following new subsection:

(d) A victim of a sexually oriented crime has a right to counseling, without charge to the victim. The law enforcement agency to which the crime is reported or a victim-witness coordinator shall ensure that the victim is aware of the available counseling,

which shall be provided through the department of mental health and substance abuse services or another appropriate provider, as needed.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.