STATE OF TENNESSEE

PUBLIC CHAPTER NO. 325

HOUSE BILL NO. 516

By Representatives Matheny, Dean, Evans

Substituted for: Senate Bill No. 66

By Senators Bunch, Gresham, Burks

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11, Part 1 and Title 39, Chapter 14, Part 1, relative to the offense of theft from certain agencies or authorities.

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

SECTION 1. Tennessee Code Annotated, Section 39-11-106, is amended by deleting subdivision (35) and substituting instead the following:

> "Services" includes labor, skill, professional service, transportation, telephone, mail, gas, electricity, steam, water, cable television or other public services, accommodations in hotels, restaurants or elsewhere, admissions to exhibitions, use of vehicles or other movable property, and any other activity or product considered in the ordinary course of business to be a service, regardless of whether it is listed in this subdivision or a specific statute exists covering the same or similar conduct; and

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 14, Part 1, is amended by adding the following as a new section:

> § 39-14-152.
>
> (a) It is an offense for a person who is applying for, or the recipient of, dwelling accommodations in any housing project operated by a housing authority as defined in § 13-20-102, to obtain or attempt to obtain such dwelling accommodations, by means of a statement, representation, or impersonation the person knows to be false, or by knowingly concealing any material fact if the false statement, representation, impersonation or concealment results in:
>
> (1) The person meeting the housing authority's income qualification standards established pursuant to § 13-20-113; or
>
> (2) The person's lease or rental payment being less than the person would otherwise be required to pay under the housing authority's income qualification standards established pursuant to § 13-20-113.

(b) It is a violation of this section if a person obtains or attempts to obtain dwelling accommodations specified in subsection (a) by means of a statement, representation, or impersonation made by another, or by another concealing any material fact, if the person knows the statement, representation, or impersonation to be false or the person knows that a material fact has been concealed.

(c) A violation of this section is a Class A misdemeanor punishable by fine only. The amount of the fine imposed shall be graded as provided in § 39-14-105. In grading the offense, the value of the benefit the defendant derived from the prohibited conduct shall be used to determine the grade of fine.

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it.

PASSED: May 18, 2009

KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 29th day of May 2009

PHIL BREDESEN, GOVERNOR