



State of Tennessee
PUBLIC CHAPTER NO. 287

SENATE BILL NO. 710

By Barnes, Stewart

Substituted for: House Bill No. 1340

By Tidwell, Shipley, Hardaway, Todd, Butt, Maggart, McCormick, Haynes

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to sex offender restrictions after release.

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

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 39, Part 2, is amended by adding the following as a new section:

§ 40-39-216.

(a) Public library directors shall have the authority to reasonably restrict the access of any person listed on the sexual offender registry.

(b) In determining the reasonableness of the restrictions, the director shall consider the following criteria:

(1) The likelihood of children being present in the library at the times and places to be restricted;

(2) The age of the victim of the offender; and

(3) The chilling effect of the use of the library by other patrons if the offender is not restricted.

(c) Nothing in this section shall prevent a total ban of the offender's access to a public library so long as the criteria in subsection (b) are considered.

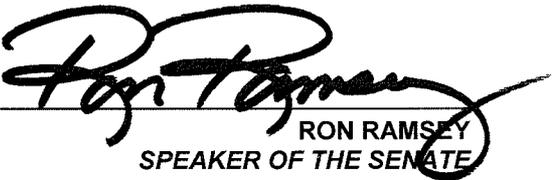
(d) The restrictions of this part shall be effective upon the mailing of notice to the address of the offender as listed on the sex offender registry. The notice shall state with specificity, the time and space restrictions. The director shall state in the notice that the criteria in subsection (b) have been considered.

(e) A registered sex offender who enters upon the premises of a public library in contravention of the restrictions five (5) days after mailing of the notice may, at the discretion of the director be prosecuted for criminal trespass pursuant to § 39-14-405.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: May 16, 2011



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21 day of May 2011



BILL HASLAM, GOVERNOR