



State of Tennessee

PUBLIC CHAPTER NO. 443

SENATE BILL NO. 187

By Niceley

Substituted for: House Bill No. 170

By Rogers, Lamberth, Hardaway, Turner

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, Chapter 35, relative to criminal offense enhancement factors.

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

SECTION 1. Tennessee Code Annotated, Section 40-35-114, is amended by adding the following new, appropriately designated subdivision:

() (A) The defendant commits an offense:

(i) During the time period between the first occurrence of events or conduct that later results in a declaration of a state of emergency by a county, the governor, or the president of the United States and the time the county, governor, or the president of the United States terminates the state of emergency, as provided in § 58-2-107;

(ii) Within the area or areas threatened by the emergency, as established by the county's, governor's, or president's declaration of a state of emergency; and

(iii) Knowing of the existence of the emergency.

(B) As used in this subdivision:

(i) "Emergency" means an occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, that results or may result in substantial injury or harm to the population, or substantial damage to or loss of property; provided, that natural threats may include disease outbreaks and epidemics; and

(ii) "Offense" means the defendant is convicted of a violation of § 39-14-103, § 39-14-104, or any other offense involving theft that is graded by value pursuant to § 39-14-105, and the value of the property or service taken is no greater than the value provided in § 39-14-105 for a Class E felony.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.

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PASSED: April 22, 2015



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 18th day of May 2015



BILL HASLAM, GOVERNOR