



HOUSE BILL 415

By Davis

AN ACT to amend Tennessee Code Annotated, Title 38,
relative to adult sexual assault response teams.

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

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 1, is amended by adding the following as a new part:

(a) This part is known and may be cited as the "Sexual Assault Response Team Act."

(b) As used in this part:

(1) "Adult" means a person who is eighteen (18) years of age or otherwise emancipated;

(2) "Response team" means a multidisciplinary team established to strengthen the collaborative response and enhance the safety and judicial outcome for the sexual assault survivor;

(3) "Sexual assault" means a criminal offense under title 39, chapter 13, part 5, involving unlawful sexual penetration or unwanted sexual contact;

(4) "Sexual contact" means the same as defined in § 39-13-501; and

(5) "Sexual penetration" means the same as defined in § 39-13-501.

(c) By January 1, 2024, each local law enforcement agency shall assemble an adult sexual assault response team to assist in responding to incidents of sexual assault with adult victims that occur within the agency's jurisdiction. A team shall include members with expertise in a variety of disciplines relevant to sexual assault response, which may include, but are not limited to:

- (1) Victim advocacy;
- (2) Law enforcement;
- (3) Criminal prosecution;
- (4) Healthcare services; and
- (5) Mental health services.

(d)

(1) Except by court order or as provided in subdivision (d)(2), communications between an adult sexual assault response team member and a sexual assault victim shall be confidential and shall not be subject to the open records law, compiled in title 10, chapter 7.

(2) This subsection (d) does not prevent the district attorney general and counsel for a defendant from providing to each other in a pending criminal case, where the constitutional rights of the defendant require it, information which otherwise would be held confidential under this subsection (d).

(e) Upon establishing an adult sexual assault response team, the chief law enforcement officer of the agency must report the establishment and the name and areas of expertise of each team member to the Tennessee bureau of investigation (TBI).

SECTION 2. This act takes effect upon becoming law, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 22*

House Bill No. 415

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 1, is amended by adding the following as a new part:

38-1-801.

This part is known and may be cited as the "Sexual Assault Response Team Act."

38-1-802.

As used in this part:

(1) "Adult" means a person who is eighteen (18) years of age or older or otherwise emancipated;

(2) "Sexual assault" means a criminal offense under title 39, chapter 13, part 5, involving unlawful sexual penetration or unwanted sexual contact;

(3) "Sexual assault response team (SART)" means a multidisciplinary team convened to strengthen and improve the collaborative response and enhance the community response, safety, and judicial outcome for the sexual assault survivor;

(4) "Sexual contact" means the same as defined in § 39-13-501; and

(5) "Sexual penetration" means the same as defined in § 39-13-501.

38-1-803.

(a) By January 1, 2024, each local law enforcement agency must convene regular meetings on behalf of an adult sexual assault response team (SART) to assist in



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identifying gaps in service and improving response systems for sexual assault with adult victims that occur within the agency's jurisdiction. A team must include members who respond to and work with victims and have expertise in a variety of disciplines relevant to sexual assault response. A SART may include, but is not limited to:

- (1) Victim advocates;
- (2) Law enforcement;
- (3) Criminal prosecutors;
- (4) Healthcare services providers;
- (5) Mental health services providers; and
- (6) Representatives from local colleges.

(b)

(1) Except by court order or as provided in subdivision (b)(2), communications occurring at a SART meeting are confidential and not subject to title 10, chapter 7.

(2) This subsection (b) does not prevent the district attorney general and counsel for a defendant from providing to each other in a pending criminal case, where the constitutional rights of the defendant require it, information which otherwise would be held confidential under this subsection (b).

SECTION 2. This act takes effect upon becoming law, the public welfare requiring it.