

## SENATE BILL 451

By Bell

### AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to rioting.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-303, is amended by deleting the section and substituting instead the following:

(a) A person commits an offense who:

- (1) Knowingly participates in a riot; and
- (2)
  - (A) Traveled from outside the state with intent to commit a criminal offense;
  - (B) Participates in a riot in exchange for compensation; or
  - (C) As a result of the riot, a person other than one (1) of the participants suffers bodily injury or substantial property damage occurs.

(b)

- (1) A violation of this section is a Class E felony.
- (2) In any sentence imposed for a violation of this section, the court shall include a mandatory minimum sentence of:
  - (A) Forty-five (45) days of incarceration; or
  - (B) Sixty (60) days of incarceration if the defendant engages in the conduct described in two (2) or more of the circumstances listed in subdivisions (a)(2)(A) – (C).

(3) In any sentence imposed for a violation of this section, the court shall include an order of restitution for any injury, property damage, or loss incurred as a result of the offense.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

Amendment No. \_\_\_\_\_

Signature of Sponsor

AMEND Senate Bill No. 451\*

House Bill No. 881

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language after the enacting clause and substituting instead the following:

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(C) As a result of the riot, a person other than one (1) of the participants suffers bodily injury or substantial property damage occurs.

(b)

(1) A violation of this section is a Class E felony.

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(3) In any sentence imposed for a violation of this section, the court shall include an order of restitution for any injury, property damage, or loss incurred as a result of the offense.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.