

SENATE BILL 1391

By Tate

AN ACT to amend Tennessee Code Annotated, Title 39,
relative to criminal law.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-107(c), in amended by inserting the word "lawful" before the word "act" and inserting the word "lawful" before the word "omission".

SECTION 2. Tennessee Code Annotated, Section 39-13-107(c), is further amended by adding a new sentence at the end of this subsection as follows:

However, nothing in the section shall preclude prosecution of a woman for an assaultive offense for the illegal use of a narcotic drug while pregnant, if her child is born addicted to or harmed by the narcotic drug or for criminal homicide if her child dies as a result of her illegal use of a narcotic drug taken while pregnant.

SECTION 3. Tennessee Code Annotated, Section 39-13-214(c), is amended by inserting the word "lawful" before the word "act" and inserting the word "lawful" before the word "omission".

SECTION 4. Tennessee Code Annotated, Section 39-13-214(c), is further amended by adding a new sentence at the end of this subsection as follows:

However, nothing in the section shall preclude prosecution of a woman for an assaultive offense for the illegal use of a narcotic drug while pregnant, if her child is born addicted to or harmed by the narcotic drugs or for criminal homicide if her child dies as a result of her illegal use of a narcotic drug taken while pregnant.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the

act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6 This act shall take effect July 1, 2013, the public welfare requiring it.