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## **Tennessee Law Sexual Battery a Criminal Offense**

Tennessee has always criminalized sexual battery as a class E felony. It is illegal to have sexual activity with a person incapable of consenting to sexual activity. (Click [here](#) to see the Sexual Battery Tennessee Court Annotated, 39-13-505 document).

Effective July 1, 2021, the Sexual Battery Law in Tennessee was amended to make clear that sexual contact by any doctor, counselor, clergy or other healthcare professionals during the course of a treatment or counseling session with any person (adult or child) being treated or counseled for a mental illness, emotional condition, trauma or drug addiction, is now considered sexual battery—as the one receiving the treatment or counseling is deemed incapable of consenting to sexual activity. (Click [here](#) to view the amended Tennessee Sexual Battery Law, Ch. 509 document)

Before the change in the law, a doctor, counselor, clergy or other healthcare professional could have sex with an adult patient, if the patient were capable of consenting to sex. The amended law now prohibits sexual activity during the course of any alcohol, drug or other treatments or counseling sessions.