



# TENNESSEE FIREARMS ASSOCIATION

Tennessee's ONLY No-Compromise Gun Organization

## Tennessee Firearms Association

Bill Status Report - February 15, 2019

### SB10/HB2 **CRIMINAL LAW: JaJuan Latham Act.**

*Sponsors:* Sen. Briggs, Richard , Rep. Staples, Rick

*Summary:* Enacts the "JaJuan Latham Act," which increases the penalty for any aggravated assault or homicide that occurs by a person discharging a firearm from within a motor vehicle and the victim is a minor at the time of the offense.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/12/19 - Senate Judiciary Committee recommended. Sent to Senate Finance.

*House Status:* 02/14/19 - Set for House Finance, Ways & Means Subcommittee 02/20/19.

*Executive*

*Status:*

*Committees:* Senate Finance, Ways & Means Committee  
House Finance, Ways & Means Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1 and Title 39, Chapter 13, Part 2, relative to crimes involving minor victims.

*AG Opinion:*

*Last Action* 02/14/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:* Degree of penalty for a violent felony should not be location specific. Needless designation to increase penalty.

### SB24/HB17 **CRIMINAL LAW: Use of force by a minor who is victim of a sexual offense.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Lamar, London

*Summary:* Gives the presumption that a minor who is the victim of a sexual offense and used force against the offender had a reasonable belief that the force is immediately necessary to avoid imminent death or serious bodily injury.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 01/19/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/14/19 - Set for House Criminal Justice Subcommittee 02/20/19.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Criminal Justice Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, relative to minors.

*AG Opinion:*

*Last Action* 02/14/19

*Date:*

*Cosponsors:*

Rep. Camper, Karen; Rep. Chism, Jesse; Rep. Coley, Jim; Rep. Cooper, Barbara; Rep. Deberry Jr., John; Rep. Dixie, Vincent; Rep. Freeman, Bob; Rep. Hakeem, Yusuf; Rep. Hardaway, G.A.; Rep. Hodges, Jason; Rep. Lafferty, Justin; Rep. Love Jr., Harold; Rep. Mitchell, Bo; Rep. Parkinson, Antonio; Rep. Potts, Jason; Sen. Robinson, Katrina; Rep. Shaw, Johnny; Rep. Staples, Rick; Rep. Stewart, Mike; Rep. Thompson, Dwayne; Rep. White, Mark;

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:* Existing law on justifiable use of force is adequate to handle these scenarios.

**SB35/HB135 CRIMINAL LAW: Offense of reckless endangerment by discharging a firearm into a parade or religious service.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Love Jr., Harold

*Summary:* Creates a Class C felony offense of reckless endangerment when someone discharges a firearm into a parade, religious service, concert, athletic event, political event, educational event, or into any other group of 25 or more people who are lawfully assembled.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 01/19/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/14/19 - Set for House Criminal Justice Subcommittee 02/20/19.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

House Criminal Justice Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1, relative to reckless endangerment.

*AG Opinion:*

*Last Action* 02/14/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:* Existing statutes and case law on reckless endangerment is adequate.

**SB36/HB137 CRIMINAL LAW: Restoration of voting rights.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Chism, Jesse

*Summary:* Allows a person who has lost the right to vote to apply for restoration of voting rights if that person is making payments for restitution, court costs and/or overdue child support.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 01/19/19 - Referred to Senate Judiciary Committee.

*House Status:* 01/30/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 29, Part 2, relative to restoration of voting rights.

*AG Opinion:*

*Last Action* 01/30/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:* Individuals should fully satisfy all terms of criminal sanctions/sentence before being eligible to vote. This appears to be nothing more than a "let the criminal who has not satisfied a sentence vote" effort.

**SB88/HB134 CRIMINAL LAW: Expunction of certain criminal records.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Love Jr., Harold

*Summary:* Permits filing of petitions for record expunctions after three years for misdemeanors and five years for felonies.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 01/30/19 - Referred to Senate Judiciary Committee.

*House Status:* 01/30/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 32, Part 1, relative to the expunction of certain criminal records.

*AG Opinion:*

*Last Action* 01/30/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:* Neutral  
*Priority:*  
*Comment:*

**SB95/HB41 CRIMINAL LAW: Handgun carry permits for persons in military stationed out of state.**

*Sponsors:* Sen. Watson, Bo , Rep. VanHuss, James  
*Summary:* Requires the department of safety to issue a handgun carry permit containing zeros in place of an expiration date upon request by a permit holder or applicant who is in the armed forces and stationed outside the state.  
*Amendment Summary:* Senate amendment 1, House Judiciary Committee amendment 1 (002600) rewrites this bill to require that the following language is printed on the back of handgun carry permit cards: This permit is valid beyond the expiration date if the permit holder can provide documentation of the holder's active military status and duty station outside Tennessee. The provisions of this amendment will take effect on the earlier of: (1) 30 days after the date upon which the commissioner of safety provides written notification to the secretary of state and the executive secretary of the Tennessee code commission that the department of safety's "A-list" driver license program is capable of implementing this act; or (2) January 1, 2020.  
*Fiscal Note:*  
*Senate Status:* 02/13/19 - Senate passed with amendment 1 (002600).  
*House Status:* 02/06/19 - House Judiciary Committee recommended with amendment 1 (002600). Sent to House Finance.  
*Executive Status:*  
*Committees:* House Finance, Ways & Means Committee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-17-1351, relative to military personnel.  
*AG Opinion:*  
*Last Action* 02/13/19  
*Date:*  
*Cosponsors:* Sen. Crowe, Rusty; Rep. Johnson, Curtis; Rep. Lamberth, William; Rep. Littleton, Mary; Rep. Parkinson, Antonio; Rep. Sherrell, Paul; Rep. Todd, Chris;  
*Effective Date:*  
*Position:* Neutral  
*Priority:*  
*Comment:*

**SB258/HB260 CRIMINAL LAW: Offense of reckless endangerment.**

*Sponsors:* Sen. Kyle, Sara , Rep. Johnson, Gloria  
*Summary:* Expands the offense of reckless endangerment to include a person's reckless failure to render inoperable or safely secure or lock a firearm and ammunition for the firearm, resulting in a child under 13 years of age gaining possession of the firearm and resulting in bodily injury or death of the child or another person.  
*Amendment Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/01/19 - Referred to Senate Judiciary Committee.  
*House Status:* 02/01/19 - Referred to House Criminal Justice Subcommittee.  
*Executive Status:*  
*Committees:* Senate Judiciary Committee  
House Criminal Justice Subcommittee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-13-103, relative to the offense of reckless endangerment.  
*AG Opinion:*  
*Last Action* 02/01/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:* Oppose  
*Priority:*  
*Comment:* This is a rewrite of a bill run by Senator Kyle previously to impose criminal sanctions on parents, homeowners and renters who do not keep weapons "rendered harmless" or locked up.

**SB285/HB279 CRIMINAL LAW: Reduces time for chief law enforcement officer to certify transfer or making of a firearm.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott

*Summary:* Reduces to 10 days the time allotted in which a chief law enforcement officer must certify the transfer or making of a firearm after receiving a request.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/01/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/01/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to firearms.

*AG Opinion:*

*Last Action* 02/01/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Support

*Priority:*

*Comment:*

**SB403/HB167 CRIMINAL LAW: Mandatory sentence for theft of a firearm.**

*Sponsors:* Sen. Stevens, John , Rep. Lamberth, William

*Summary:* Requires a mandatory 30-day sentence for firearm theft, creates the Class D felony offense of bringing weapons, controlled substances or telecommunication devices into a penal institution, allows those with revoked or restricted driver license due solely to being habitual offender may petition the court that originally revoked their license to reinstate the person's driver license.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/12/19 - Senate Judiciary Committee deferred to 02/26/19.

*House Status:* 02/01/19 - Referred to House Criminal Justice Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Criminal Justice Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39; Title 40 and Title 55, relative to criminal law.

*AG Opinion:*

*Last Action* 02/12/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:* This bill seems to cover diverse unrelated topics and is suspicious as perhaps a "head fake" bill.

**SB422/HB493 CRIMINAL LAW: Carrying of handguns by firefighters and emergency medical technicians.**

*Sponsors:* Sen. Hensley, Joey , Rep. Doggett, Clay

*Summary:* Allows firefighters and emergency medical technicians to carry handguns while engaged in official duties if pursuant to a written directive by the executive supervisor of the organization to which the person is attached or employed.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/06/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/04/19 - Withdrawn in House.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to handguns.

*AG Opinion:*

*Last Action* 02/06/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Neutral

Priority:

Comment: TFA does not generally support legislation which authorizes non-law enforcement government employees to carry firearms "on the job" or "off duty".

**SB424/HB408 ENVIRONMENT & NATURE: Expands definition of persons who may engage in the sport of hunting and fishing on farmlands without a license.**

Sponsors: Sen. Hensley, Joey , Rep. Doggett, Clay

Summary: Allows parents of landowners and tenants of farmlands to hunt and fish on such land without a license.

Amendment

Summary:

Fiscal Note:

Senate Status: 02/06/19 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status: 02/06/19 - Referred to House Agriculture & Natural Resources Subcommittee.

Executive

Status:

Committees: Senate Energy, Agriculture & Natural Resources Committee  
House Agriculture & Natural Resources Subcommittee

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 70, relative to persons who may engage in the sport of hunting and fishing on farmlands without a license.

AG Opinion:

Last Action 02/06/19

Date:

Cosponsors:

Effective Date:

Position: Neutral

Priority:

Comment:

**SB440/HB319 ENVIRONMENT & NATURE: Cooperative agreements between TWRA and federal agencies.**

Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy

Summary: Extends effective date for newly published regulations involving cooperative agreements between the TWRA and federal agencies to 45 days after the publication date, rather than the current 30 days. Revises due date for the submission of financial reports by the TWRA executive director to the governor and commission members to September 30 of each year. Current law specifies September 15. Broadly captioned.

Amendment

Summary:

Fiscal Note:

Senate Status: 02/06/19 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status: 02/05/19 - Referred to House Agriculture & Natural Resources Subcommittee.

Executive

Status:

Committees: Senate Energy, Agriculture & Natural Resources Committee  
House Agriculture & Natural Resources Subcommittee

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 70, relative to wildlife resources.

AG Opinion:

Last Action 02/06/19

Date:

Cosponsors:

Effective Date:

Position:

Priority:

Comment:

**SB445/HB175 CRIMINAL LAW: Renewal of handgun carry permits.**

Sponsors: Sen. Bell, Mike , Rep. Hall, Mark

Summary: Authorizes the department of safety to contract with an entity for the provision of any service related to the renewal of handgun carry permits. Also authorizes an entity contracting with the department of safety to charge an additional fee of \$4.00 for each renewal application, which shall be retained by the entity for administrative costs.

Amendment

Summary:

Fiscal Note:

Senate Status: 02/06/19 - Referred to Senate Judiciary Committee.

House Status: 02/01/19 - Referred to House Department & Agencies Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Department & Agencies Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-17-1351, relative to the renewal of handgun carry permits.

*AG Opinion:*

*Last Action* 02/06/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Amend

*Priority:*

*Comment:* There are enough problems with the Department of Safety doing its job, is it necessary to further privatize and outsource the printing of handgun permit cards or processing applications? Where will the additional fees come from?

## **SB446/HB187 CRIMINAL LAW: Second Amendment Civil Rights Act of 2019.**

*Sponsors:* Sen. Bell, Mike , Rep. Reedy, Jay

*Summary:* Enacts the "Second Amendment Civil Rights Act of 2019," which prohibits a government entity from enacting or enforcing ordinances, rules, regulations, or policies that prohibit the ownership, construction, or operation of privately owned or operated gun or sport shooting ranges. Confers private rights of action upon a person to challenge government regulation of gun or sport shooting ranges.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/06/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/01/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to firearms, arms, ammunition, or firearms accessories.

*AG Opinion:*

*Last Action* 02/06/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Support

*Priority:*

*Comment:* The bill would prohibit local government officials from discriminating against individuals or groups who are involved with sporting, hunting, or 2nd Amendment related functions in the rental of public properties that are made available for public rentals.

## **SB472/HB677 CRIMINAL LAW: Reporting of person judicially committed for mental illness to determine eligibility to purchase firearm.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Garrett, Johnny

*Summary:* Requires clerks to report the race, sex, and social security number of a person judicially committed for mental illness to the FBI-NCIS index and department of safety to determine eligibility for person to purchase firearms. Requires such information to be confidential.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 16; Title 33 and Section 38-6-109, relative to mental health patients.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB506/HB560 CRIMINAL LAW: Permits expunction of certain misdemeanors.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Camper, Karen  
*Summary:* Permits the expunction of certain misdemeanor offenses not eligible under current law.  
*Amendment Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.  
*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.  
*Executive Status:*  
*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 40, relative to expunction.  
*AG Opinion:*  
*Last Action* 02/11/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB533/HB1141 TAXES SALES: Exemption of sales of gun safes from sales and use tax.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Doggett, Clay  
*Summary:* Exemption of sales of gun safes from sales and use tax.  
*Amendment Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/07/19 - Referred to Senate Finance, Ways & Means Committee.  
*House Status:* 02/13/19 - Referred to House Finance, Ways & Means Subcommittee.  
*Executive Status:*  
*Committees:* Senate Finance, Ways & Means Committee  
House Finance, Ways & Means Subcommittee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 67, relative to purchases of gun safes.  
*AG Opinion:*  
*Last Action* 02/13/19  
*Date:*  
*Cosponsors:* Rep. Eldridge, Rick; Rep. Hodges, Jason; Rep. Potts, Jason; Rep. VanHuss, James;  
*Effective Date:*  
*Position:* Neutral  
*Priority:*  
*Comment:*

**SB563/HB646 CRIMINAL LAW: Changes date of provision of statistical report on number of handgun permits issued, denied or revoked.**

*Sponsors:* Sen. Bowling, Janice , Rep. VanHuss, James  
*Summary:* Changes the date by which the safety and homeland security department must provide a copy of the previous year's statistical report concerning the number of handgun carry permits issued, denied, revoked, or suspended, and various information regarding handgun carry permit issuance and fees to each member of the general assembly to January 15.  
*Amendment Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.  
*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.  
*Executive Status:*  
*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Section 8- 8-201; Section 10-7-504; Section 33-6-413; Section 33-3-115; Title 38; Title 39; Title 40; Section 49-6-815; Section 49-6-816; Section 49-7- 161; Section 49-50-803; Section 58-1-227; Section 70-5-101 and Title 70, Chapter 4, Part 1, relative to firearms.

*AG Opinion:*  
*Last Action* 02/11/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB564/HB645 CRIMINAL LAW: First violation of unlawful carrying of a firearm.**

*Sponsors:* Sen. Bowling, Janice , Rep. VanHuss, James  
*Summary:* Reduces the punishment for a first violation of unlawful carrying of a handgun. Prohibits law enforcement officer from confiscating the person's handgun and requires issuance of citation in lieu of arrest for such offense.

*Amendment*  
*Summary:*

*Fiscal Note:*  
*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.  
*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*  
*Status:*  
*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-17-1307 and Section 40-7-118, relative to carrying a firearm.

*AG Opinion:*  
*Last Action* 02/11/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:* Neutral  
*Priority:*  
*Comment:* Originally, the fine on a handgun violation was \$50 and a Class C misdemeanor. It was raised up substantially several years ago. This bill appears to be attempting to reduce it at least for 1st offenders.

**SB577/HB193 CRIMINAL LAW: Expunction of multiple convictions resulting from being a victim of human trafficking.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Carter, Mike  
*Summary:* Allows for a petitioner who has multiple, nonviolent convictions resulting from being a victim of human trafficking to be expunged by the court if deemed to be in the best interest of justice. If denied, there shall be no petition filed for at least two years.

*Amendment*  
*Summary:*

*Fiscal Note:*  
*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.  
*House Status:* 02/01/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*  
*Status:*  
*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, Chapter 32, relative to expunction for certain offenses.

*AG Opinion:*  
*Last Action* 02/07/19  
*Date:*  
*Cosponsors:* Rep. Hakeem, Yusuf; Rep. Hazlewood, Patsy; Rep. Helton, Esther; Rep. Smith, Robin;  
*Effective Date:*  
*Position:* Amend  
*Priority:*  
*Comment:* Amend to allow expungment of multiple convictions for any non-violent crime not just those related to sex trafficking

**SB590/HB626 MEDIA & PUBLISHING: Record requests that constitute harassment.**

*Sponsors:* Sen. Hensley, Joey , Rep. Lamberth, William  
*Summary:* If a person makes a request to view or copy a public record that constitutes harassment, authorizes the records custodian charged with fulfilling the request to petition a court of competent jurisdiction for an order to enjoin the person from making records requests and recover fees and costs.

*Amendment*  
*Summary:*



*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Referred to House Civil Justice Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Civil Justice Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7, Part 5 and Title 29, relative to public records requests.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:* Legislation seeks to start creating "stonewalling" procedures for citizens seeking to obtain copies of or access to "public" records.

**SB594/HB712 CRIMINAL LAW: Definitions of firearm, antique firearm, and destructive device.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Faison, Jeremy

*Summary:* Updates the definitions of "firearm" and "antique firearm" to mirror definitions under federal law and defines a "destructive device".

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-11-106; Section 39-13-103 and Title 39, Chapter 17, Part 13, relative to firearms.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Support

*Priority:*

*Comment:*

**SB603/HB1116 CRIMINAL LAW: Reckless endangerment with a deadly weapon.**

*Sponsors:* Sen. Jackson, Ed , Rep. Coley, Jim

*Summary:* Increases the penalty for the offense of reckless endangerment with a deadly weapon to a Class D felony if the offense occurred during a road rage incident.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Criminal Justice Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Criminal Justice Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13 and Title 55, Chapter 10, Part 2, relative to reckless endangerment.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:* Penalties increased only if its "road rage". This is an arbitrary classification.

**SB619/HB800 CRIMINAL LAW: Carrying of handgun by firefighter or emergency medical technician.**

*Sponsors:* Sen. Hensley, Joey , Rep. Doggett, Clay  
*Summary:* Permits any person employed in emergency management or as a firefighter or emergency medical technician to carry a handgun while engaged in the performance of the person's official duties. Requires such person to successfully complete a firearm training program of at least eight hours duration on an annual basis.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to handguns.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Neutral

*Priority:*

*Comment:*

**SB681/HB825 CRIMINAL LAW: Theft of property that includes firearm.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Sherrell, Paul  
*Summary:* Increases penalty for theft of firearms valued under \$2,500 to a Class D felony. Broadly captioned.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Referred to House Criminal Justice Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Criminal Justice Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 37; Title 39 and Title 40, Chapter 35, relative to criminal law.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB686/HB883 CRIMINAL LAW: Sealing criminal history records.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Dixie, Vincent  
*Summary:* Allows certain felony offenders to petition to have the offender's criminal history records sealed after completion of all requirements of sentencing and at least five years without being convicted of a new offense. Broadly captioned.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Referred to House Criminal Justice Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Criminal Justice Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to criminal history records.

*AG Opinion:*

*Last Action* 02/11/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB705/HB1264 CRIMINAL LAW: Creates a concealed handgun carry permit.**

*Sponsors:* Sen. Stevens, John , Rep. Holt, Andy  
*Summary:* Creates a concealed handgun carry permit, which allows a person to carry a concealed handgun. Redesignates the existing handgun carry permit as an enhanced handgun carry permit.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/14/19 - Set for House Constitutional Protections & Sentencing Subcommittee 02/20/19.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 10; Title 33; Title 38 and Title 39, relative to handgun carry permits.

*AG Opinion:*

*Last Action* 02/14/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Amend

*Priority:*

*Comment:* The bill would, it appears, create a situation where there are two classes of handgun permits and distinctly different standards for each. One if the existing permit which is being redesignated as an "enhanced" permit. The other would be issued based on lower testing and fees and would be a concealed only permit. Also, there is a concern regarding how many states may terminate reciprocity based on the dual permitting proposal.

**SB742/HB1417 CRIMINAL LAW: Increases the penalty for aggravated assault and reckless endangerment.**

*Sponsors:* Sen. Kyle, Sara , Rep. Towns Jr., Joe  
*Summary:* Increases penalty for aggravated assault and reckless endangerment committed from within a motor vehicle. Requires the court revoke a defendant's license for up to one year following any period of confinement. Requires that a motor vehicle used in a second or subsequent offense be seized and forfeited.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Criminal Justice Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Criminal Justice Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13 and Title 40, relative to criminal offenses.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB752/HB1247 EDUCATION: Employees carrying a concealed weapon on school property.**

*Sponsors:* Sen. Hensley, Joey , Rep. Byrd, David  
*Summary:* Deletes requirement that Wayne County and Pickett County be defined as distressed rural counties for purposes of being considered eligible counties to select employees to carry concealed handguns on school property.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Caption bill held on House clerk's desk.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 49-6-816, relative to employees carrying a concealed weapon on school property.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB778/HB266 CRIMINAL LAW: Expunction of nonviolent misdemeanor charges.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Shaw, Johnny

*Summary:* Requires a court to automatically dismiss a misdemeanor charge if prosecution of the charge is not commenced within three years of the offense and the defendant is not charged with any subsequent misdemeanor or felony offense during the three-year period. Also requires the automatic expunction of a nonviolent misdemeanor charge or conviction if the defendant is not charged with any subsequent misdemeanor or felony offense within three years following the original charge.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/14/19 - Set for House Constitutional Protections & Sentencing Subcommittee 02/20/19.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 40, relative to misdemeanors.

*AG Opinion:*

*Last Action* 02/14/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB797/HB941 CRIMINAL LAW: Expunction fees.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Removes \$180 fee for petitioning the court for expunctions of certain criminal offenses. Removes \$350 fee applications for expunctions following the completion of a diversion program.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 32 and Title 40, Chapter 35, relative to expunction fees.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB813/HB801 CRIMINAL LAW: Leaving a firearm or firearm ammunition unattended.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. White, Mark  
*Summary:* Creates a Class A misdemeanor offense of leaving a firearm or firearm ammunition unattended with a minor in a motor vehicle or boat, if the firearm is not securely locked away.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to firearms.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:*

**SB827/HB1348 CRIMINAL LAW: Person seeking expunction of multiple offenses.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Miller, Larry  
*Summary:* Declares that a person seeking expunction must petition the court where the petitioner was most recently convicted to be expunged. Requires the clerk to serve the petition on the district attorney general for that judicial district and any other judicial district in which the person was convicted of an offense sought to be expunged.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 32, relative to expunction of criminal records.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB828/HB568 CRIMINAL LAW: Dispossession of firearms.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Lamar, London  
*Summary:* Requires local law enforcement to conduct in-person checks to ensure person subject to order of protection has complied with dispossession of firearms requirement. Makes other changes regarding the dispossession of firearms requirement.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Referred to House Children & Families Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Children & Families Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 3, Part 6; Title 38; Title 39, Chapter 13, Part 1 and Title 39, Chapter 17, Part 13, relative to dispossession of firearms.

*AG Opinion:*  
*Last Action* 02/11/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB865/HB1447 CRIMINAL LAW: Revokes handgun carry permit for domestic violence.**

*Sponsors:* Sen. Bowling, Janice , Rep. Moody, Debra  
*Summary:* Requires a handgun carry permit holder to surrender their permit to the court if convicted of a misdemeanor crime of domestic assault. Orders that within 48 hours of the conviction, the permit should be forwarded and revoked by the department of safety.

*Amendment*  
*Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.  
*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.  
*Executive*  
*Status:*  
*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to domestic violence.  
*AG Opinion:*  
*Last Action* 02/13/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB887/HB816 ENVIRONMENT & NATURE: Report on rules exempting certain persons from hunter education requirements.**

*Sponsors:* Sen. Niceley, Frank , Rep. Eldridge, Rick  
*Summary:* Requires the Tennessee fish and wildlife commission to submit an annual report to the government operations committees listing any rules promulgated to exempt certain persons from hunter education requirements and the number of permits being issued.

*Amendment*  
*Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/11/19 - Referred to Senate Government Operations Committee.  
*House Status:* 02/07/19 - Caption bill held on House clerk's desk.  
*Executive*  
*Status:*  
*Committees:* Senate Government Operations Committee

*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4 and Title 70, relative to the uniform administrative procedures act.  
*AG Opinion:*  
*Last Action* 02/11/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB892/HB846 EDUCATION: Law enforcement notification regarding person authorized to have firearm on school property.**

*Sponsors:* Sen. Niceley, Frank , Rep. Todd, Chris  
*Summary:* Changes to 10 business days, the period within which schools directors are required to notify the appropriate chief of law enforcement agency that the director has authorized a person to carry or possess a firearm on school property. Broadly captioned.

*Amendment*  
*Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/07/19 - Caption bill held on House clerk's desk.  
*Executive Status:*  
*Committees:* Senate Judiciary Committee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 38; Title 39; Title 40 and Title 49, relative to school safety.  
*AG Opinion:*  
*Last Action Date:* 02/11/19  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB900/HB749 CRIMINAL LAW: Renewal of handgun carry permits by county clerk.**

*Sponsors:* Sen. Niceley, Frank , Rep. Powers, Dennis  
*Summary:* Permits county clerk, in addition to the department of safety, to renew a handgun carry permit.  
*Amendment Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.  
*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.  
*Executive Status:*  
*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to handgun carry permits.  
*AG Opinion:*  
*Last Action Date:* 02/11/19  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB907/HB731 CRIMINAL LAW: Renewal of handgun carry permits.**

*Sponsors:* Sen. Southerland, Steve , Rep. Hall, Mark  
*Summary:* Authorizes the safety department to contract with a local government agency for the renewal of handgun carry permits. Authorizes an agency contracting with the department charge an additional fee of \$4 for each renewal application.  
*Amendment Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/14/19 - Set for Senate Judiciary Committee 02/19/19.  
*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.  
*Executive Status:*  
*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-17-1351, relative to the renewal of handgun carry permits.  
*AG Opinion:*  
*Last Action Date:* 02/14/19  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB943/HB1049 CRIMINAL LAW: Families Know First Act.**

*Sponsors:* Sen. Kyle, Sara , Rep. Johnson, Gloria

*Summary:* Enacts the "Families Know First Act," which authorizes the issuance of an extreme risk protection order that a law enforcement officer may seek to prevent a restrained person from being able to lawfully possess a firearm when the officer believes that the person is a danger to the person or another. Establishes a Class A misdemeanor offense for a person to own or possess a firearm or ammunition with knowledge that the person is prohibited from doing so by a temporary emergency extreme risk protection order. Specifies that the offense is punishable by fine, imprisonment, and a five-year prohibition on having in the person's custody, owning, purchasing, possessing, receiving, or attempting to purchase or receive, a firearm or ammunition. (19 pp.)

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to Families Know First Act.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:* A type of Red Flag law

**SB968 TORT LIABILITY: Injuries resulting from firearms.**

*Sponsors:* Sen. Robinson, Katrina ,

*Summary:* Declares a person to be liable for injury to a person or property in the event of wrongful death from use of a firearm if it can be shown that the defendant sold the firearm to the person who committed the crime resulting in injury.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/14/19 - Withdrawn in Senate.

*House Status:*

*Executive*

*Status:*

*Committees:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 29 and Title 39, Chapter 17, Part 13, relative to injuries resulting from firearms.

*AG Opinion:*

*Last Action* 02/14/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:*

**SB1010/HB1427 CRIMINAL LAW: Sale or transfer of certain firearms completed through licensed gun dealer.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Stewart, Mike

*Summary:* Requires all firearm sales or transfers in this state including to be subject to a criminal history record check unless specifically exempted by state or federal law. Specifies that the criminal history record check requirement applies to all sales or transfers made by a licensed gun dealer as well as sales and transfers at a gun show, online, or between persons who are not licensed gun dealers. Requires, when neither the seller nor purchaser of a firearm is a licensed gun dealer that the transaction be completed through a licensed gun dealer, and that the dealer perform the background check. Requires the licensed gun dealer, if the results of the criminal history record check indicate that the purchaser or transferee is ineligible to possess a firearm, to return the firearm to the seller or transferor. Allows the licensed gun dealer to charge a fee that reflects the fair market value of the administrative costs and efforts incurred by the licensed gun dealer for facilitating the sale or transfer of the firearm.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*



*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13 and Title 67, Chapter 6, relative to the sale or transfer of certain firearms.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:*

**SB1011/HB1428 CRIMINAL LAW: Illegal transfer of a firearm to a prohibited possessor.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Stewart, Mike

*Summary:* Creates a Class A misdemeanor offense for illegal transfer of a firearm to a prohibited possessor, in knowing that the transfer was illegal under law. Declares that if a person was prohibited from purchasing a firearm due to age restriction, it is not an offense if the transfer of firearm took place for time the firearm was used for purpose of instruction, hunting, or sport shooting.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 37 and Title 39, Chapter 17, Part 13, relative to the transfer of firearms.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:* This issue is already covered under several state laws.

**SB1025/HB1224 CRIMINAL LAW: Domestic violence defendant firearm transfers.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Potts, Jason

*Summary:* Requires the court order that a defendant convicted of domestic violence who transfers possession of firearms to a third party have the third party complete and return to the court an affidavit certifying that the third party is not prohibited from possessing firearms, acknowledges receipt of firearms from the defendant, and accepts their responsibility. Broadly captioned.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 3, Part 6; Title 39, Chapter 13, Part 1; Title 39, Chapter 17, Part 13 and Title 40, relative to firearms.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB1178/HB1446 CRIMINAL LAW: Extreme risk protection orders.**

*Sponsors:* Sen. Dickerson, Steven , Rep. Deberry Jr., John  
*Summary:* Allows an eligible petitioner to file a petition with no filing fee for an extreme risk protection order in any court with jurisdiction over domestic relations matters or in general sessions court. Requires for an extreme risk protection to contain allegations, a sworn affidavit, information on firearm possession, and whether the respondent is currently subject to an order of protection. Specifies court proceeding to follow filing an extreme risk protection order and directs the court to set a hearing on the petition no later than 15 days from the date the petition was filed. After the court issues the order, it will prohibit the respondent from purchasing or possessing a firearm for a period of one year and any violation of the extreme risk protection order is subject to a Class A misdemeanor.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 33; Title 38; Title 39 and Title 40, relative to weapons.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:* Rep. Camper, Karen; Rep. Jernigan, Darren;

*Effective Date:*

*Position:* Oppose

*Priority:* 1 - Top-tier

*Comment:* the GOP "Red Flag" law

**SB1217 CRIMINAL LAW: Expunction - person pardoned by governor for nonviolent crimes.**

*Sponsors:* Sen. Niceley, Frank ,

*Summary:* Allows persons pardoned by the governor for nonviolent crimes committed before January 1, 1980, to have the public records involving the crime expunged upon filing a petition.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/12/19 - Withdrawn in Senate.

*House Status:*

*Executive*

*Status:*

*Committees:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 28 and Title 40, Chapter 32, relative to expunction.

*AG Opinion:*

*Last Action* 02/12/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB1225/HB1209 CRIMINAL LAW: Grants law enforcement powers to certain employees of the department of correction.**

*Sponsors:* Sen. Niceley, Frank , Rep. Mitchell, Bo

*Summary:* Vests employees of the department of correction appointed as special agents or as a director of internal affairs and who meet certain standards and have completed law enforcement training with law enforcement powers under the department. Establishes that a correctional emergency response team member or strike force member must not be vested with such powers or authority unless otherwise qualified to be vested under the provisions of this bill.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate State & Local Government Committee.

*House Status:* 02/13/19 - Referred to House Corrections Subcommittee.

*Executive*

*Status:*

*Committees:* Senate State & Local Government Committee  
House Corrections Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 4- 3-609 and Section 39-17-1350, relative to department of correction employees.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB1275/HB409 CRIMINAL LAW: Civil or criminal immunity for person who uses force in self-defense.**

*Sponsors:* Sen. Pody, Mark , Rep. Griffey, Bruce

*Summary:* Confers criminal and civil immunity upon a person who uses or threatens to use force in self-defense, defense of another, or defense from a person committing a criminal offense, unless the person against whom the force is used is a law enforcement officer acting in the performance of the officer's official duties and has identified himself or herself as a law enforcement officer.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/06/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11, Part 6 and Title 39, Chapter 17, Part 13, relative to civil and criminal immunity.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Support

*Priority:* 1 - Top-tier

*Comment:* TFA strongly supports this legislation as written. It is designed to modify current state law to require that law enforcement and district attorneys evaluate whether the matter involves a justifiable civilian self-defense incident prior to bringing criminal charges.

**SB1301/HB1176 CRIMINAL LAW: Notification regarding off duty law enforcement officer possessing firearm on school grounds.**

*Sponsors:* Sen. Pody, Mark , Rep. Weaver, Terri

*Summary:* Removes requirement that an off-duty law enforcement officer notify principal or other administrative staff if present on school grounds during regular school hours and in possession of a firearm.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Public Service & Employee Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Public Service & Employee Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-17-1309 and Section 39-17-1350, relative to law enforcement officers.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB1312/HB1476 CRIMINAL LAW: Leaving firearm or ammunition in motor vehicle or boat without it being in locked cabinet.**

*Sponsors:* Sen. Kyle, Sara , Rep. Hardaway, G.A.

*Summary:* Prohibits leaving a firearm, loaded firearm, or firearm ammunition in a motor vehicle or boat that is unattended or with a person under 18 years of age if the firearm is not locked away or securely contained. Any violation is a Class A misdemeanor which is punishable by a fine of not less than \$500. Requires the fine paid to the clerk of the court the imposing sentence who will then transfer it to the state treasurer for deposit the general fund. Orders 50 percent of the funds be deposited in the domestic violence community education fund and the other 50 percent deposited in the criminal injuries compensation fund.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to firearms.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:*

**SB1315/HB1478 CRIMINAL LAW: Reckless endangerment.**

*Sponsors:* Sen. Kyle, Sara , Rep. Hardaway, G.A.

*Summary:* Revises definition of reckless endangerment to include use of a motor vehicle to harass, injure, or obstruct another person. Establishes penalties for reckless endangerment committed by discharging a firearm into a group of two or more people from a vehicle, or into a vehicle as a fine between \$5,000 and \$10,000 and a five year revocation of a driver's license following release. Permits petition for a restricted driver's license for people whose license has been revoked under these terms. Clarifies that each person endangered by a reckless endangerment violation constitutes as a separate offense. Requires defendants convicted of reckless endangerment with a deadly weapon attend anger management classes. Establishes the crime of community terrorism as a gang-related offense committed against a population by members of a criminal gang and enhances punishment for crimes falling under this designation.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Criminal Justice Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Criminal Justice Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13 and Title 40, Chapter 35, relative to reckless endangerment.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB1341/HB1295 CRIMINAL LAW: Firearms dispossession forms for domestic violence defendants.**

*Sponsors:* Sen. Massey, Becky , Rep. Farmer, Andrew

*Summary:* Requires the domestic violence state coordinating council in consultation with the administrative office of the courts to develop an affidavit of firearms dispossession form that must be signed following a conviction for a domestic violence offense. Orders the administrative office of the courts to post the form on its website where it can be copied by defendants or provided to them by the court or court clerk for signature upon conviction.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/13/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-13-111, relative to domestic violence offenders.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB1347/HB1460 CRIMINAL LAW: Fees for lifetime handgun permits for former law enforcement officers.**

*Sponsors:* Sen. Pody, Mark , Rep. Sherrell, Paul

*Summary:* Waives the fee for obtaining a lifetime handgun carry permit for former law enforcement officers, POST certified or had equivalent training, who served at least 10 years and left the law enforcement agency while in good standing.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-17-1351, relative to lifetime handgun permits for former law enforcement officers.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB1374/HB109 CRIMINAL LAW: Carrying of firearms by correctional officers.**

*Sponsors:* Sen. Yager, Ken , Rep. Windle, John

*Summary:* Permits correctional officers and certain other people employed by the department of correction to carry a handgun if they have completed their probationary period and training rather than when they are vested.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/14/19 - Set for House Judiciary Committee 02/20/19.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee  
House Judiciary Committee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-17-1350, relative to certain law enforcement officers carrying firearms.

*AG Opinion:*

*Last Action* 02/14/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Neutral

*Priority:*

*Comment:*

**SB1385/HB367 ENVIRONMENT & NATURE: Permanent fishing and hunting license for honorably discharged veterans.**

*Sponsors:* Sen. Bell, Mike , Rep. Hall, Mark  
*Summary:* Creates a permanent combination hunting and fishing license for each resident of Tennessee who is an honorably discharged veteran on the United States armed forces for a one-time \$10 fee.  
*Amendment*  
*Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/11/19 - Referred to Senate Energy, Agriculture & Natural Resources Committee.  
*House Status:* 02/06/19 - Referred to House Agriculture & Natural Resources Subcommittee.  
*Executive*  
*Status:*  
*Committees:* Senate Energy, Agriculture & Natural Resources Committee  
House Agriculture & Natural Resources Subcommittee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 70, relative to hunting and fishing licenses for honorably discharged veterans.  
*AG Opinion:*  
*Last Action* 02/11/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB1400/HB1041 PUBLIC FINANCE: Provision of services to licensed firearms businesses.**

*Sponsors:* Sen. Bell, Mike , Rep. Cochran, Mark  
*Summary:* Prohibits spending of public funds to support policies declining to provide services to licensed firearms businesses.  
*Amendment*  
*Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/11/19 - Referred to Senate State & Local Government Committee.  
*House Status:* 02/13/19 - Referred to House Cities & Counties Subcommittee.  
*Executive*  
*Status:*  
*Committees:* Senate State & Local Government Committee  
House Cities & Counties Subcommittee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 9 and Title 12, relative to the provision of services to licensed firearms businesses.  
*AG Opinion:*  
*Last Action* 02/13/19  
*Date:*  
*Cosponsors:*  
*Effective Date:*  
*Position:*  
*Priority:*  
*Comment:*

**SB1401/HB545 CRIMINAL LAW: Temporary handgun carry permit for person granted an order of protection.**

*Sponsors:* Sen. Bell, Mike , Rep. Boyd, Clark  
*Summary:* Increases the amount of calendar days a person who petitions the court and is granted an order of protection has to apply for a temporary handgun carry permit from the department of safety from 21 calendar days to 30 calendar days after that order of protection is granted.  
*Amendment*  
*Summary:*  
*Fiscal Note:*  
*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.  
*House Status:* 02/07/19 - Caption bill held on House clerk's desk.  
*Executive*  
*Status:*  
*Committees:* Senate Judiciary Committee  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to firearms.  
*AG Opinion:*  
*Last Action* 02/11/19  
*Date:*  
*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB1402/HB754 CRIMINAL LAW: Firearm prohibitions for persons suffering from mental illness.**

*Sponsors:* Sen. Bell, Mike , Rep. Smith, Robin

*Summary:* Prohibits certain persons voluntarily admitted to a mental health treatment facility from possessing a firearm.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 16; Title 33 and Title 39, Chapter 17, relative to firearm prohibitions for persons suffering from mental illness and emotional disturbances.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:* TFA has not taken a position on this bill at this time. The bill, as written, appears to need attention to address situations where individuals have been wrongly detained and it needs provisions to deal with how someone can, if ever, get relief from this state level disability on firearms.

**SB1415/HB1119 CRIMINAL LAW: Possession of firearm for person convicted of stalking.**

*Sponsors:* Sen. Jackson, Ed , Rep. Freeman, Bob

*Summary:* Creates a Class A misdemeanor of possessing a firearm if a person has a prior conviction of stalking, or other offense committed in another state or under federal law that would constitute the offense of stalking.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:* 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to weapons.

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SB1476 CRIMINAL LAW: Correctional counselors authorized to carry firearms.**

*Sponsors:* Sen. Bailey, Paul ,

*Summary:* Adds correctional counselors employed by the department of correction to those authorized to carry firearms as law enforcement with a minimum of 40 hours of initial firearms training and eight hours of annual in-service firearms training.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.

*House Status:*

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 8, Part 1 and Title 39, Chapter 17, Part 13, relative to carrying of firearms by law enforcement.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

**SJR1 JUDICIARY: Constitutional amendment - selection of attorney general.**

*Sponsors:* Sen. Yager, Ken ,

*Summary:* Proposes an amendment to Article VI, Section 5 of the state constitution to provide for the selection of the attorney general and reporter for the state with nomination by the supreme court and confirmation by the general assembly.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 02/13/19 - Senate deferred to 02/21/19.

*House Status:*

*Executive*

*Status:*

*Committees:*

*Public Chapter:*

*Caption:*

*AG Opinion:*

*Last Action* 02/13/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Neutral

*Priority:*

*Comment:* The effort should be towards amending the constitution for an elected attorney general who would be accountable directly to the voters.

**SJR87 CRIMINAL LAW: Gun Violence Awareness Day.**

*Sponsors:* Sen. Gilmore, Brenda ,

*Summary:* Commemorates July 28, 2019, as Gun Violence Awareness Day in Tennessee.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:* 01/30/19 - Referred to Senate Judiciary Committee.

*House Status:*

*Executive*

*Status:*

*Committees:* Senate Judiciary Committee

*Public Chapter:*

*Caption:*

*AG Opinion:*

*Last Action* 01/30/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:* Oppose

*Priority:*

*Comment:*

**HB42 CRIMINAL LAW: Unlawful carrying or possession of a handgun.**

*Sponsors:* Rep. VanHuss, James

*Summary:* Specifies that the first violation for carrying a handgun without authorization is a Class C misdemeanor punishable by a fine only of \$250. Current law specifies that a person commits an offense who carries, with the intent to go armed, a firearm or a club and that the first violation is a Class C misdemeanor and may be punished by a fine not to exceed \$500, in addition to possible imprisonment.

*Amendment*

*Summary:*



*Fiscal Note:*

*Senate Status:*

*House Status:* 02/06/19 - Withdrawn in House.

*Executive*

*Status:*

*Committees:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to criminal law.

*AG Opinion:*

*Last Action* 02/06/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:* No Senate sponsor

#### **HB47 CRIMINAL LAW: Expedited expunction of records.**

*Sponsors:* Rep. Parkinson, Antonio

*Summary:* Allows individuals seeking expunction to pay an additional \$250 fee to expedite it. Requires that the expedited expunction is prioritized over other such petitions. Requires that the records be destroyed within 30 days of the court granting the petition for expedited expunction.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:*

*House Status:* 01/22/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

*Executive*

*Status:*

*Committees:* House Constitutional Protections & Sentencing Subcommittee

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 32, relative to expedited expunction of records.

*AG Opinion:*

*Last Action* 01/22/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*

#### **HB501 CRIMINAL LAW: Allows use of law enforcement vehicles for off-duty officers.**

*Sponsors:* Rep. Eldridge, Rick

*Summary:* Allows the chief law enforcement officer of a state or local law enforcement agency to implement policies regarding the use of marked law enforcement vehicles for off-duty officers. Specifies that the use of the vehicles would be for travel to "vulnerable locations" including schools, places of worship, parks, sports venues, and shopping venues.

*Amendment*

*Summary:*

*Fiscal Note:*

*Senate Status:*

*House Status:* 02/11/19 - Withdrawn in House.

*Executive*

*Status:*

*Committees:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 3, relative to use of law enforcement vehicles.

*AG Opinion:*

*Last Action* 02/11/19

*Date:*

*Cosponsors:*

*Effective Date:*

*Position:*

*Priority:*

*Comment:*