



TENNESSEE FIREARMS ASSOCIATION

Tennessee's ONLY No-Compromise Gun Organization

Tennessee Firearms Association

Bill Status Report - March 15, 2019

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: Senate Judiciary Committee amendment 1 (004918) declares exemption to the crime of reckless endangerment by discharging a firearm if done by a member of a law enforcement agency or any branch of the military acting in the course of a person's official duties, involves the firing of non-live ammunition as part of a funeral, or occurs in a location where participants have assumed the risk of the activity involving the discharge of a firearm, including group hunting activities.
Fiscal Note: (Dated February 19, 2019) Increase State Expenditures \$376,900 Incarceration*
Senate Status: 03/14/19 - Set for Senate Judiciary Committee 03/19/19.
House Status: 02/20/19 - Taken off notice in 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, Part 1, relative to reckless endangerment.
AG Opinion:
Last Action: 03/14/19
Date:
Cosponsors: Sen. Robinson, Katrina;
Effective Date:
Position: Oppose
Priority:
Comment: Existing statutes and case law on reckless endangerment is adequate.

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: 03/14/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/20/19.
Executive Status:
Committees: Senate Judiciary Committee
 House Constitutional Protections & Sentencing Subcommittee
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 32, Part 1, relative to the expunction of certain criminal records.
AG Opinion:
Last Action: 03/14/19
Date:
Cosponsors: Sen. Kyle, Sara;
Effective Date:
Position: Neutral
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: Senate Judiciary Committee amendment 1 (004195) changes the effective date for sections 1, 2 and 3 to January 1, 2020. Senate Judiciary Committee amendment 2, House Judiciary amendment 1 (004188) removes "any telecommunication device" from being considered unlawful for any person to possess while present in any penal institution where prisoners are quartered or under custodial supervision without the express consent of the chief administrator of the institution. House Judiciary amendment 2 (005342) changes the effective date of the authorization of a person whose diver license was revoked or restricted as a result of the Motor Vehicle Habitual Offender Act to petition a court for reinstatement of the person's driver license to 30 days after the date upon which the Department of Safety Commissioner provides written notification to the Secretary of State and the Executive Secretary of the Tennessee Code Commission and the Department's "A-list" driver license program is capable of implementing the act or January 1, 2020, whichever is earlier. House Judiciary amendment 3 (005529) requires the sixth and subsequent DUI's be served at no less than 85% of the sentence.
Fiscal Note: (Dated February 11, 2019) Increase State Expenditures Net Impact \$10,713,700* Increase Local Expenditures \$302,700**
Senate Status: 02/26/19 - Senate Judiciary Committee recommended with amendment 1 (004195) and amendment 2 (004188). Sent to Senate Finance.
House Status: 03/14/19 - Set for House Finance, Ways & Means Subcommittee 03/20/19.
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; Title 40 and Title 55, relative to criminal law.
AG Opinion:
Last Action Date: 03/14/19
Cosponsors: Rep. Casada, Glen; Rep. Curcio, Michael; Rep. Dixie, Vincent; Rep. Farmer, Andrew; Rep. Gant, Ron; Rep. White, Mark;
Effective Date:
Position: Oppose
Priority:
Comment: This bill seems to cover diverse unrelated topics and is suspicious as perhaps a "head fake" bill.

SB423/HB494 TAXES BUSINESS: Tax on ammunition.

Sponsors: Sen. Hensley, Joey , Rep. Doggett, Clay
Summary: Eliminates the special privilege tax on ammunition.
Amendment Summary:
Fiscal Note: (Dated February 24, 2019) Decrease State Revenue - \$455,300/Wildlife Resources Fund Decrease State Expenditures - \$19,900/Wildlife Resources Fund
Senate Status: 03/14/19 - Set for Senate Finance Revenue Subcommittee 03/19/19.
House Status: 03/06/19 - House Finance Subcommittee placed behind the budget.
Executive Status:
Committees: Senate Finance Revenue Subcommittee
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Section 8- 8-201 and Title 70, Chapter 3, relative to the tax on ammunition.
AG Opinion:
Last Action Date: 03/14/19
Cosponsors: Rep. Crawford, John; Rep. Eldridge, Rick; Rep. Gant, Ron; Rep. Griffey, Bruce; Rep. Hall, Mark; Rep. Hill, Matthew; Rep. Hill, Timothy; Rep. Holt, Andy; Rep. Lamberth, William; Rep. Sexton, Cameron; Rep. VanHuss, James;
Effective Date:
Position:
Priority:
Comment:

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: (Dated February 24, 2019) State Revenue Net Impact Not Significant/Wildlife Resources Fund Increase State Expenditures \$295,000/General Fund Other Fiscal Impact A potential recurring decrease in federal funding allocated to the Wildlife Resources Fund up to \$60,200.
Senate Status: 03/13/19 - Senate Energy, Agriculture & Natural Resources Committee recommended. Sent to Senate Finance.

House Status: 03/13/19 - House Agriculture & Natural Resources Committee recommended. Sent to House Finance.

Executive

Status:

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

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 03/13/19

Date:

Cosponsors: Rep. Cepicky, Scott; Sen. Crowe, Rusty; Rep. Griffey, Bruce;

Effective Date:

Position: Neutral

Priority:

Comment:

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: Senate Judiciary Committee amendment 1, House Judiciary Committee amendment 1 (004269) requires that if a local government enforces any regulation of a privately owned or operated sport shooting ranges, the restrictions cannot be greater than those imposed to any range located within the same unit of local government and owned or operated by a government entity. Allows for a party to challenge any regulation of a sport shooting range that violates this provision.

Fiscal Note: (Dated February 24, 2019) Increase Local Expenditures Exceeds \$10,000/One-Time/Permissive

Senate Status: 03/07/19 - Re-referred to Senate Calendar Committee.

House Status: 03/14/19 - Set for House Finance, Ways & Means Committee 03/19/19.

Executive

Status:

Committees: Senate Calendar Committee
House Finance, Ways & Means Committee

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 03/14/19

Date:

Cosponsors: Rep. Byrd, David; Sen. Gresham, Dolores; Sen. Jackson, Ed; Rep. Todd, Chris;

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: (Dated February 19, 2019) NOT SIGNIFICANT

Senate Status: 03/11/19 - Senate passed.

House Status: 03/14/19 - Set for House Judiciary Committee 03/20/19.

Executive

Status:

Committees: House Judiciary Committee

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 03/14/19

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: (Dated March 9, 2019) Increase State Revenue Exceeds \$160,000/TBI Exceeds \$416,000/District Attorney Expunction Fund Increase Local Revenue Exceeds \$320,000

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

House Status: 03/13/19 - House Constitutional Protections & Sentencing Subcommittee deferred to last calendar.

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 03/13/19

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: (Dated February 8, 2019) Decrease State Revenue Net Impact \$321,300 Decrease Local Revenue Net Impact \$131,100

Senate Status: 03/14/19 - Set for Senate Finance Revenue Subcommittee 03/19/19.

House Status: 02/13/19 - Referred to House Finance, Ways & Means Subcommittee.

Executive

Status:

Committees: Senate Finance Revenue Subcommittee

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 03/14/19

Date:

Cosponsors: Sen. Bailey, Paul; Sen. Bell, Mike; Sen. Bowling, Janice; Sen. Briggs, Richard; Sen. Crowe, Rusty; Sen. Dickerson, Steven; Rep. Eldridge, Rick; Sen. Gilmore, Brenda; Sen. Gresham, Dolores; Sen. Hensley, Joey; Rep. Hodges, Jason; Sen. Jackson, Ed; Sen. Kurita, Rosalind; Sen. Kyle, Sara; Sen. Pody, Mark; Rep. Potts, Jason; Rep. VanHuss, James; Sen. White, Dawn;

Effective Date:

Position: Neutral

Priority:

Comment:

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: 03/14/19 - Set for Senate Judiciary Committee 03/19/19.

House Status: 03/14/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/20/19.

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 03/14/19
Date:
Cosponsors: Rep. Hakeem, Yusuf; Rep. Hazlewood, Patsy; Rep. Helton, Esther; Rep. Lafferty, Justin; 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

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: (Dated March 9, 2019) Increase State Expenditures \$27,300 Incarceration*
Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.
House Status: 03/13/19 - Taken off notice in 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 03/13/19

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: (Dated March 9, 2019) Other fiscal impact Public employers of participating firefighters and EMTs will incur increases in liability insurance premiums; the extent and timing of any such impact cannot be determined with reasonable certainty.

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

House Status: 03/13/19 - Taken off notice in 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 03/13/19

Date:

Cosponsors: Rep. Byrd, David; Rep. Griffey, Bruce; Rep. Hall, Mark; Rep. Holt, Andy; Rep. Sherrell, Paul; Rep. Tillis, Rick;

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: (Dated February 24, 2019) Increase State Expenditures \$11,619,200 Incarceration* Decrease Local Expenditures \$288,000
Senate Status: 03/14/19 - Set for Senate Finance, Ways & Means Committee 03/19/19.
House Status: 03/14/19 - Set for House Judiciary Committee 03/20/19.
Executive Status:
Committees: Senate Finance, Ways & Means Committee
House Judiciary Committee
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 03/14/19
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: House Judiciary Committee amendment 1 (004571) removes direct references to the NRA, removes participation in organized shooting competitions as handgun competence demonstration, requires the county sheriff to verify eligibility requirements for handgun license applicants, requires the TBI conduct nationwide background checks with applicant fingerprints forwarded from DOS, increases time handgun carry permits are valid to from five to eight years, requires the issuance of the permit into a laminated card with photo id, physical identifiers, permit number, and issuance and expiration date, establishes requirements for firearms training or safety courses, and changes the effective date to January 1, 2020. Orders a CCHP be issued on a wallet-sized laminated card the same approximate size as driver licenses with the holder's name, address, date of birth, physical description, permit number, issuance, expiration dates, and a color photograph. Deletes and replaces language of the legislation without making any substantive changes.
Fiscal Note: (Dated February 20, 2019) Decrease State Revenue Exceeds \$667,100/Recurring/Handgun Permit Division Exceeds \$245,000/Recurring/Tennessee Bureau of Investigation Increase State Expenditures Exceeds \$220,000/One-Time/Handgun Permit Division Decrease State Expenditures Exceeds \$28,900/Recurring/Handgun Permit Division Exceeds \$112,300/Recurring/Tennessee Bureau of Investigation Decrease Local Revenue Exceeds \$79,600/Recurring
Senate Status: 03/14/19 - Set for Senate Judiciary Committee 03/19/19.
House Status: 03/06/19 - House Finance Subcommittee placed behind the budget after adopting amendment 1 (005134).
Executive Status:
Committees: Senate Judiciary Committee
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 03/14/19
Date:
Cosponsors: Sen. Bell, Mike; Rep. Carter, Mike; Rep. Casada, Glen; Rep. Curcio, Michael; Rep. Doggett, Clay; Rep. Gant, Ron; Rep. Haston, Kirk; Rep. Lamberth, William; Rep. Littleton, Mary; Rep. Sexton, Cameron; Rep. VanHuss, James; Rep. Weaver, Terri;
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.

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: House Judiciary Committee amendment 1 (005255) deletes all language after the enacting clause and requires a judge notify a person, at the time of sentencing, convicted of a misdemeanor eligible for expunction of their eligibility and the time period after which the person can petition for expunction.
Fiscal Note: (Dated February 19, 2019) Increase State Expenditures \$4,500/General Fund/One-Time Decrease State Revenue \$806,400/Recurring/TBI \$2,073,600/Recurring/District Attorney Expunction Fund Increase Local Expenditures Exceeds \$20,000/One-Time* Exceeds \$100,000/Recurring*

Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.
House Status: 03/13/19 - House Judiciary Committee recommended with amendment 1 (005255), which deletes all language after the enacting clause and requires a judge notify a person, at the time of sentencing, convicted of a misdemeanor eligible for expunction of their eligibility and the time period after which the person can petition for expunction. Sent to House Calendar & Rules.

Executive Status:
Committees: Senate Judiciary Committee
House Calendar & Rules Committee Regular

Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 40, relative to misdemeanors.
AG Opinion:
Last Action 03/13/19
Date:
Cosponsors: Rep. Jernigan, Darren;
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. Part of Administration Package.

Amendment Summary: House Constitutional Protections & Sentencing Subcommittee, Senate Judiciary Committee amendment 1 (005117) adds sections to the bill that delete references to the removed expunction fees.
Fiscal Note: (Dated March 2, 2019) Decrease State Revenue \$144,000/District Attorneys Expunction Fund \$1,401,000/TBI
Senate Status: 03/14/19 - Set for Senate Finance, Ways & Means Committee 03/19/19.
House Status: 03/14/19 - Set for House Judiciary Committee 03/20/19.

Executive Status:
Committees: Senate Finance, Ways & Means Committee
House Judiciary Committee

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 03/14/19
Date:
Cosponsors: Sen. Akbari, Raumesh; Sen. Dickerson, Steven; Rep. Gant, Ron; Sen. Robinson, Katrina;
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: (Dated March 9, 2019) NOT SIGNIFICANT
Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.
House Status: 03/14/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/20/19.

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 03/14/19
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: (Dated March 9, 2019) NOT SIGNIFICANT

Senate Status: 03/12/19 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

House Status: 03/14/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/20/19.

Executive

Status:

Committees: Senate Calendar 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 03/14/19

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: (Dated March 7, 2019) Increase Local Expenditures Exceeds \$100,000*

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

House Status: 03/12/19 - Failed in 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 03/12/19

Date:

Cosponsors: Rep. Clemmons, John; Rep. Potts, Jason;

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: (Dated March 8, 2019) NOT SIGNIFICANT

Senate Status: 03/12/19 - Senate Judiciary Committee deferred to 03/26/19.

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 03/12/19
Date:
Cosponsors: Rep. Freeman, Bob;
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: (Dated February 14, 2019) Increase State Expenditures \$15,000/One-Time/Department of Safety Decrease State Expenditures Exceeds \$30,300/Recurring/ Department of Safety Increase Local Revenue Exceeds \$60,900/Recurring/Permissive Increase Local Expenditures Exceeds \$30,300/Recurring/Permissive

Senate Status: 03/04/19 - Senate passed.
House Status: 03/14/19 - Set for House Finance, Ways & Means Subcommittee 03/20/19.

Executive
Status:
Committees: House Finance, Ways & Means 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 03/14/19
Date:

Cosponsors: Rep. Byrd, David; Rep. Doggett, Clay; Rep. Griffey, Bruce; Rep. Howell, Dan; Rep. Lamberth, William; Sen. Stevens, John;
Effective Date:
Position:
Priority:
Comment:

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: (Dated February 27, 2019) NOT SIGNIFICANT
Senate Status: 03/12/19 - Senate Judiciary Committee deferred to 03/26/19.
House Status: 03/13/19 - Taken off notice in 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 03/13/19
Date:

Cosponsors: Rep. Clemmons, John;
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: 03/14/19 - Set for House Corrections Subcommittee 03/19/19.

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 03/14/19

Date:

Cosponsors:

Effective Date:

Position:

Priority:

Comment:

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: 03/14/19 - Set for House Public Service & Employee Subcommittee 03/20/19.

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 03/14/19

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: 03/14/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/20/19.

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 03/14/19

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 to attend anger management class. 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: 03/13/19 - Taken off notice in 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 03/13/19

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: House Constitutional Protections & Sentencing Subcommittee amendment 1 (004880) declares that the defendant must sign a domestic violence offense firearm notification form before the court accepts the guilty plea of a defendant charged with a domestic violence offense and makes technical changes to the language of the bill.

Fiscal Note: (Dated February 20, 2019) NOT SIGNIFICANT

Senate Status: 03/12/19 - Senate Judiciary Committee deferred to 03/26/19.

House Status: 03/14/19 - Set for House Judiciary Committee 03/20/19.

Executive

Status:

Committees: Senate Judiciary Committee

House Judiciary Committee

Public Chapter:

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

AG Opinion:

Last Action 03/14/19

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: (Dated February 24, 2019) Decrease State Revenue Exceeds \$15,700/Handgun Permit Division

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

House Status: 03/13/19 - House Finance Subcommittee placed behind the budget.

Executive

Status:

Committees: Senate Judiciary Committee

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 03/13/19

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: (Dated February 9, 2019) NOT SIGNIFICANT

Senate Status: 03/14/19 - Senate passed.

House Status: 03/07/19 - House passed.

Executive 03/14/19 - Sent to the speakers for signatures.

Status:

Committees:

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 03/14/19

Date:

Cosponsors: Rep. Byrd, David; Rep. Calfee, Kent; Rep. Crawford, John; Rep. Haston, Kirk; Rep. Keisling, Kelly; Rep. Kumar, Sabi; Rep. Leatherwood, Tom; Rep. Love Jr., Harold; Rep. Moon, Jerome; Rep. Ogles, Brandon; Rep. Reedy, Jay; Rep. Sherrell, Paul; Rep. Terry, Bryan; Rep. Thompson , Dwayne; Rep. Vaughan, Kevin; Rep. White, Mark;

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: (Dated March 2, 2019) State Revenue Net Impact Not Significant/Wildlife Resources Fund Increase State Expenditures \$2,247,900/FY19-20/General Fund \$3,024,900/FY20-21 and Subsequent Years/ General Fund

Senate Status: 02/11/19 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status: 03/14/19 - Set for House Agriculture & Natural Resources Committee 03/20/19.

Executive

Status:

Committees: Senate Energy, Agriculture & Natural Resources Committee

House Agriculture & Natural Resources Committee

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 03/14/19
Date:
Cosponsors: Rep. Doggett, Clay;
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: 03/14/19 - Set for House Cities & Counties Subcommittee 03/19/19.
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 03/14/19
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: Senate Judiciary Committee amendment 1, House Constitutional Protections & Sentencing Subcommittee amendment 1 (005233) deletes all language after the enacting clause. Specifies that a person is not in violation of the offense of possessing a weapon in a private building or on a private property that is properly posted to prohibit weapons, if that person: is a handgun carry permit holder; enters the building or property with the reasonable belief that the person is entitled to possess a fire arm in that building or on that property; and immediately leaves upon becoming aware of the posting.
Fiscal Note: (Dated February 6, 2019) NOT SIGNIFICANT
Senate Status: 03/12/19 - Senate Judiciary Committee recommended with amendment 1 (005233). Sent to Senate Calendar Committee.
House Status: 03/14/19 - Set for House Judiciary Committee 03/20/19.
Executive
Status:
Committees: Senate Calendar Committee
House 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 03/14/19
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: (Dated March 1, 2019) Increase State Expenditures Exceeds \$100,000/One-Time

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

House Status: 03/14/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/20/19.

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 03/14/19

Date:

Cosponsors: Rep. Casada, Glen;

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.

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: (Dated January 31, 2019) Increase State Expenditures \$10,000/One-Time

Senate Status: 02/21/19 - Senate adopted on third reading.

House Status: 03/14/19 - Set for House Judiciary Committee 03/20/19.

Executive

Status:

Committees: House Judiciary Committee

Public Chapter:

Caption:

AG Opinion:

Last Action 03/14/19

Date:

Cosponsors: Sen. Bowling, Janice;

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.