



TENNESSEE FIREARMS ASSOCIATION

Tennessee's ONLY No-Compromise Gun Organization

Tennessee Firearms Association

Calendar Report - Week of March 25, 2019

Tue 3/26/19 8:00am - House Hearing Rm I, House Judiciary Committee

The committee will meet on March 26th to take up three bills rolled from March 20th and if time allows, bills that belong to members of the committee. The committee will meet again at their regularly scheduled time (March 27th at 12:30 pm) to take up the remainder of the calendar. MEMBERS: CHAIR M. Curcio (R); VICE CHAIR J. Garrett (R); A. Farmer (R); M. Littleton (R); B. Mitchell (D); B. Ogles (R); A. Parkinson (D); J. Potts (D); I. Rudder (R); B. Sanderson (R); P. Sherrell (R); J. Towns Jr. (D); J. VanHuss (R); W. Lamberth (R); C. Johnson (R); B. Hulseley (R); B. Beck (D); K. Camper (D); M. Carter (R); M. Daniel (R); C. Doggett (R); R. Eldridge (R); J. Faison (R); B. Griffey (R); D. Howell (R)

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

Boyd C.

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: 03/18/19 - Re-referred to Senate Calendar Committee.

House Status: 03/21/19 - Set for House Judiciary Committee 03/26/19.

Executive Status: Senate Calendar Committee ; House Judiciary Committee ;

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

AG Opinion:

Last Action Date: 03/21/19

Position:

Priority:

Comment:

rows:

SB1401 - M. Bell - 03/18/19 - Re-referred to Senate Calendar Committee.

5. **HB754** **CRIMINAL LAW: Firearm prohibitions for persons suffering from mental illness.** Prohibits certain persons voluntarily admitted to a mental health treatment facility from possessing a firearm.
Smith R.
- Amendment Summary:** House Constitutional Protections & Sentencing Subcommittee amendment 1 (006249) rewrites the bill to establish that it is an offense to transfer a firearm to a person knowing that the person has been judicially committed to a mental institution or adjudicated as a mental defective unless the person's right to possess firearms has been restored, or is receiving inpatient treatment at a hospital or treatment resource.
- 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:** 03/21/19 - Set for House Judiciary Committee 03/26/19.
- Executive Status:** Senate Judiciary Committee ; House Judiciary Committee ;
- 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 Date:** 03/21/19
- 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.
- rows:**
SB1402 - M. Bell - 02/11/19 - Referred to Senate Judiciary Committee.
15. **HB193** **CRIMINAL LAW: Expunction of multiple convictions resulting from being a victim of human trafficking.** 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.
Carter M.
- Amendment Summary:** Senate Judiciary Committee amendment 1, House Constitutional Protections & Sentencing Subcommittee amendment 1 (004246) deletes and replaces all language after the enacting clause such that the substantive changes are: (1) to specify that in order to file a petition, at least one of the human trafficking convictions to be expunged is required to be a prostitution conviction; (2) establish that such offenses for which the petitioner is requesting expunction are eligible for expunction, (3) establish that the offense to be expunged is required to occur on or after the date on which the petitioner became a victim of human trafficking, and (4) establish, upon filing a petition, the petitioner is required to remit a \$180 fee to the court clerk.
- Fiscal Note:**
- Senate Status:** 03/19/19 - Senate Judiciary Committee recommended with amendment 1 (004246). Sent to Senate Calendar Committee.
- House Status:** 03/21/19 - Set for House Judiciary Committee 03/26/19.
- Executive Status:** Senate Calendar Committee ; House Judiciary Committee ;
- 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 Date:** 03/21/19
- Position:** Amend
- Priority:**
- Comment:** Amend to allow expungement of multiple convictions for any non-violent crime not just those related to sex trafficking
- rows:**
SB577 - T. Gardenhire - 03/19/19 - Senate Judiciary Committee recommended with amendment 1 (004246). Sent to Senate Calendar Committee.

Tue 3/26/19 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee

The committee will have budget hearings by the TN Comptroller of the Treasury and the TN Dept of Treasury. MEMBERS: CHAIR B. Watson (R); VICE CHAIR J. Stevens (R); 2ND VICE CHAIR J. Hensley (R); J. Yarbro (D); K. Yager (R); B. Kelsey (R); J. Johnson (R); F. Haile (R); B. Gilmore (D); T. Gardenhire (R); R. Briggs (R)

3. **SB797** **CRIMINAL LAW: Expunction fees.** 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.
Johnson J. **Amendment Summary:** House Judiciary Committee, 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: 03/21/19 - Set for Senate Finance, Ways & Means Committee 03/26/19.
House Status: 03/21/19 - Set for House Finance, Ways & Means Subcommittee 03/27/19.
Executive Status: Senate Finance, Ways & Means Committee ; House Finance, Ways & Means Subcommittee ;
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 Date: 03/21/19
Position:
Priority:
Comment:
rows:
HB941 - W. Lamberth - 03/21/19 - Set for House Finance, Ways & Means Subcommittee 03/27/19.
10. **SB681** **CRIMINAL LAW: Theft of property that includes firearm.** Increases penalty for theft of firearms valued under \$2,500 to a Class D felony.
Gardenhire Broadly captioned.
T. **Amendment Summary:** House Judiciary Committee amendment 1 (005248) changes to a Class E felony and makes technical changes.
Fiscal Note: (Dated February 24, 2019) Increase State Expenditures \$11,619,200 Incarceration* Decrease Local Expenditures \$288,000
Senate Status: 03/21/19 - Set for Senate Finance, Ways & Means Committee 03/26/19.
House Status: 03/21/19 - Set for House Finance, Ways & Means Subcommittee 03/27/19.
Executive Status: Senate Finance, Ways & Means Committee ; House Finance, Ways & Means Subcommittee ;
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 Date: 03/21/19
Position:
Priority:
Comment:
rows:
HB825 - P. Sherrell - 03/21/19 - Set for House Finance, Ways & Means Subcommittee 03/27/19.

Tue 3/26/19 9:30am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee

The subcommittee will meet at 9:30 am or immediately following Senate Finance, Ways & Means Committee. MEMBERS: CHAIR J. Hensley (R); VICE CHAIR T. Gardenhire (R); B. Gilmore (D); F. Haile (R); K. Yager (R)

28. **SB423** **TAXES BUSINESS: Tax on ammunition.** Eliminates the special privilege tax on ammunition.
Hensley J. **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: 03/21/19 - Set for Senate Finance Revenue Subcommittee 03/26/19.
House Status: 03/06/19 - House Finance Subcommittee placed behind the budget.
Executive Status: Senate Finance Revenue Subcommittee ;
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: 03/21/19
Position:
Priority:
Comment:
rows:
HB494 - C. Doggett - 03/06/19 - House Finance Subcommittee placed behind the budget.

Tue 3/26/19 3:00pm - House Hearing Rm I, House Finance, Ways & Means Committee

The committee will have budget hearings from the following: 1) Commissioner Bob Rolfe with the Dept of Economic & Community Development 2) Executive Director Mr. Bob Raines with the TN Film Entertainment & Music Commission 3) Commissioner Ms. Penny Schwinn with K-12 Education 4) Dr. Sara Heyburn Morrison with the TN State Board of Education. MEMBERS: CHAIR S. Lynn (R); VICE CHAIR P. Hazlewood (R); R. Tillis (R); W. Lamberth (R); B. Ogles (R); J. Reedy (R); C. Sexton (R); J. Shaw (D); R. Staples (D); J. Windle (D); J. Zachary (R); S. Kumar (R); A. Holt (R); C. Baum (R); K. Camper (D); J. Crawford (R); J. Deberry Jr. (D); R. Gant (R); G. Hicks (R); M. Hill (R)

1. **HB167** **CRIMINAL LAW: Mandatory sentence for theft of a firearm.** 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 driver 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: 03/21/19 - Set for House Finance, Ways & Means Committee 03/26/19.

Executive Status: Senate Finance, Ways & Means Committee ; House Finance, Ways & Means Committee ;

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

AG Opinion:

Last Action Date: 03/21/19

Position: Oppose

Priority:

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

rows:

SB403 - J. Stevens - 02/26/19 - Senate Judiciary Committee recommended with amendment 1 (004195) and amendment 2 (004188). Sent to Senate Finance.

7. **HB731** **CRIMINAL LAW: Renewal of handgun carry permits.** 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: 03/21/19 - Set for House Finance, Ways & Means Committee 03/26/19.

Executive Status: House Finance, Ways & Means Committee ;

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: 03/21/19

Position:

Priority:

Comment:

rows:

SB907 - S. Southerland - 03/04/19 - Senate passed.

Tue 3/26/19 3:00pm - Senate Hearing Rm I, Senate Judiciary Committee

The committee will have budget briefings from the TBI and the TN Office of the Post-Conviction Defender. MEMBERS: CHAIR M. Bell (R); VICE CHAIR J. Lundberg (R); 2ND VICE CHAIR D. White (R); J. Bowling (R); T. Gardenhire (R); S. Kyle (D); K. Roberts (R); K. Robinson (D); J. Stevens (R)

5. **SB1178** **CRIMINAL LAW: Extreme risk protection orders.** 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:** 03/21/19 - Set for Senate Judiciary Committee 03/26/19.**House Status:** 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.**Executive Status:** Senate Judiciary Committee ; House Constitutional Protections & Sentencing Subcommittee ;**Caption:** AN ACT to amend Tennessee Code Annotated, Title 33; Title 38; Title 39 and Title 40, relative to weapons.**AG Opinion:****Last Action Date:** 03/21/19**Position:** Oppose**Priority:** 1 - Top-tier**Comment:** the GOP "Red Flag" law**rows:**

HB1446 - J. Deberry Jr. - 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

7. **SB1301** **CRIMINAL LAW: Notification regarding off duty law enforcement officer possessing firearm on school grounds.** 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:** 03/21/19 - Set for Senate Judiciary Committee 03/26/19.**House Status:** 03/21/19 - Set for House Public Service & Employee Subcommittee 03/27/19.**Executive Status:** Senate Judiciary Committee ; House Public Service & Employee Subcommittee ;**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 Date:** 03/21/19**Position:****Priority:****Comment:****rows:**

HB1176 - T. Weaver - 03/21/19 - Set for House Public Service & Employee Subcommittee 03/27/19.

9. **SB1347** **CRIMINAL LAW: Fees for lifetime handgun permits for former law enforcement officers.** 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:** 03/21/19 - Set for Senate Judiciary Committee 03/26/19.**House Status:** 03/13/19 - House Finance Subcommittee placed behind the budget.**Executive Status:** Senate Judiciary Committee ;**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 Date:** 03/21/19**Position:****Priority:****Comment:****rows:**

HB1460 - P. Sherrell - 03/13/19 - House Finance Subcommittee placed behind the budget.

11. **SB1341** **CRIMINAL LAW: Firearms dispossession forms for domestic violence defendants.** 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.
- Massey B.
- Amendment Summary:** House Judiciary Committee 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:** 03/21/19 - Set for Senate Judiciary Committee 03/26/19.
- House Status:** 03/20/19 - House Judiciary Committee recommended with amendment 1 (004880), which 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. Sent to House Calendar & Rules.
- Executive Status:** Senate Judiciary Committee ; House Calendar & Rules Committee Regular ;
- Caption:** AN ACT to amend Tennessee Code Annotated, Section 39-13-111, relative to domestic violence offenders.
- AG Opinion:**
- Last Action Date:** 03/21/19
- Position:**
- Priority:**
- Comment:**
- rows:**
HB1295 - A. Farmer - 03/20/19 - House Judiciary Committee recommended with amendment 1 (004880), which 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. Sent to House Calendar & Rules.
14. **SB1025** **CRIMINAL LAW: Domestic violence defendant firearm transfers.** 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.
- Yarbro J.
- Amendment Summary:**
- Fiscal Note:** (Dated February 27, 2019) NOT SIGNIFICANT
- Senate Status:** 03/21/19 - Set for Senate Judiciary Committee 03/26/19.
- House Status:** 03/21/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/27/19.
- Executive Status:** Senate Judiciary Committee ; House Constitutional Protections & Sentencing Subcommittee ;
- 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 Date:** 03/21/19
- Position:**
- Priority:**
- Comment:**
- rows:**
HB1224 - J. Potts - 03/21/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/27/19.
15. **SB865** **CRIMINAL LAW: Revokes handgun carry permit for domestic violence.** 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.
- Bowling J.
- Amendment Summary:**
- Fiscal Note:** (Dated March 8, 2019) NOT SIGNIFICANT
- Senate Status:** 03/21/19 - Set for Senate Judiciary Committee 03/26/19.
- House Status:** 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.
- Executive Status:** Senate Judiciary Committee ; House Constitutional Protections & Sentencing Subcommittee ;
- Caption:** AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to domestic violence.
- AG Opinion:**
- Last Action Date:** 03/21/19
- Position:**
- Priority:**
- Comment:**
- rows:**
HB1447 - D. Moody - 02/13/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

Tue 3/26/19 4:30pm - House Hearing Rm IV, House Corrections Subcommittee

MEMBERS: CHAIR B. Hulseley (R); R. Eldridge (R); A. Farmer (R); K. Keisling (R); J. Lafferty (R); J. Powell (D); C. Todd (R)

3. **HB1209** **CRIMINAL LAW: Grants law enforcement powers to certain employees of the department of correction.** 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: 03/21/19 - Set for House Corrections Subcommittee 03/26/19.

Executive Status: Senate State & Local Government Committee ; House Corrections Subcommittee ;

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 Date: 03/21/19

Position:

Priority:

Comment:

rows:

SB1225 - F. Niceley - 02/11/19 - Referred to Senate State & Local Government Committee.

Wed 3/27/19 8:45am - House Hearing Rm II, House Constitutional Protections & Sentencing Subcommittee

MEMBERS: CHAIR J. VanHuss (R); M. Curcio (R); R. Eldridge (R); B. Griffey (R); B. Mitchell (D); B. Sanderson (R); P. Sherrell (R)

2. **HB712** **CRIMINAL LAW: Definitions of firearm, antique firearm, and destructive device.** Updates the definitions of "firearm" and "antique firearm" to mirror definitions under federal law and defines a "destructive device."

Amendment Summary:

Fiscal Note: (Dated February 22, 2019) NOT SIGNIFICANT

Senate Status: 03/04/19 - Senate passed.

House Status: 03/21/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/27/19.

Executive Status: House Constitutional Protections & Sentencing Subcommittee ;

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 Date: 03/21/19

Position: Support

Priority:

Comment:

rows:

SB594 - K. Roberts - 03/04/19 - Senate passed.

3. **HB409** **CRIMINAL LAW: Civil or criminal immunity for person who uses force in self-defense.** 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:** (Dated February 25, 2019) NOT SIGNIFICANT
- Senate Status:** 02/11/19 - Referred to Senate Judiciary Committee.
- House Status:** 03/21/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/27/19.
- Executive Status:** Senate Judiciary Committee ; House Constitutional Protections & Sentencing Subcommittee ;
- 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 Date:** 03/21/19
- 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.
- rows:**
SB1275 - M. Pody - 02/11/19 - Referred to Senate Judiciary Committee.
4. **HB1427** **CRIMINAL LAW: Sale or transfer of certain firearms completed through licensed gun dealer.** 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:** 03/21/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/27/19.
- Executive Status:** Senate Judiciary Committee ; House Constitutional Protections & Sentencing Subcommittee ;
- 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 Date:** 03/21/19
- Position:** Oppose
- Priority:**
- Comment:**
- rows:**
SB1010 - B. Gilmore - 02/11/19 - Referred to Senate Judiciary Committee.

5. **HB1428** **CRIMINAL LAW: Illegal transfer of a firearm to a prohibited possessor.** 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.
Stewart M.
- Amendment Summary:**
Fiscal Note: (Dated March 6, 2019) NOT SIGNIFICANT
Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.
House Status: 03/21/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/27/19.
Executive Status: Senate Judiciary Committee ; House Constitutional Protections & Sentencing Subcommittee ;
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 Date: 03/21/19
Position: Oppose
Priority:
Comment: This issue is already covered under several state laws.
rows:
SB1011 - B. Gilmore - 02/11/19 - Referred to Senate Judiciary Committee.
6. **HB134** **CRIMINAL LAW: Expunction of certain criminal records.** Permits filing of petitions for record expunctions after three years for misdemeanors and five years for felonies.
Love Jr. H.
- Amendment Summary:**
Fiscal Note:
Senate Status: 01/30/19 - Referred to Senate Judiciary Committee.
House Status: 03/21/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/27/19.
Executive Status: Senate Judiciary Committee ; House Constitutional Protections & Sentencing Subcommittee ;
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 Date: 03/21/19
Position: Neutral
Priority:
Comment:
rows:
SB88 - R. Akbari - 01/30/19 - Referred to Senate Judiciary Committee.
7. **HB1348** **CRIMINAL LAW: Person seeking expunction of multiple offenses.** 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.
Miller L.
- Amendment Summary:**
Fiscal Note: (Dated March 9, 2019) NOT SIGNIFICANT
Senate Status: 03/18/19 - Senate passed.
House Status: 03/21/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/27/19.
Executive Status: House Constitutional Protections & Sentencing Subcommittee ;
Caption: AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 32, relative to expunction of criminal records.
AG Opinion:
Last Action Date: 03/21/19
Position:
Priority:
Comment:
rows:
SB827 - R. Akbari - 03/18/19 - Senate passed.

8. **HB1476** **CRIMINAL LAW: Leaving firearm or ammunition in motor vehicle or boat without it being in locked cabinet.** 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:** 03/21/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/27/19.**Executive Status:** Senate Judiciary Committee ; House Constitutional Protections & Sentencing Subcommittee ;**Caption:** AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to firearms.**AG Opinion:****Last Action Date:** 03/21/19**Position:** Oppose**Priority:****Comment:****rows:**

SB1312 - S. Kyle - 02/11/19 - Referred to Senate Judiciary Committee.

11. **HB1224** **CRIMINAL LAW: Domestic violence defendant firearm transfers.** 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.

Potts J.

Amendment Summary:**Fiscal Note:** (Dated February 27, 2019) NOT SIGNIFICANT**Senate Status:** 03/21/19 - Set for Senate Judiciary Committee 03/26/19.**House Status:** 03/21/19 - Set for House Constitutional Protections & Sentencing Subcommittee 03/27/19.**Executive Status:** Senate Judiciary Committee ; House Constitutional Protections & Sentencing Subcommittee ;**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 Date:** 03/21/19**Position:****Priority:****Comment:****rows:**

SB1025 - J. Yarbro - 03/21/19 - Set for Senate Judiciary Committee 03/26/19.

Wed 3/27/19 11:00am - House Hearing Rm III, House Finance, Ways & Means Subcommittee

Constitutional Amendment Calendar MEMBERS: CHAIR A. Holt (R); J. Deberry Jr. (D); P. Hazlewood (R); G. Hicks (R); M. Hill (R); S. Lynn (R); B. Ogles (R); C. Sexton (R); J. Shaw (D)

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

Yager K.

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:** 03/21/19 - Set for House Finance, Ways & Means Subcommittee 03/27/19.**Executive Status:** House Finance, Ways & Means Subcommittee ;**Caption:****AG Opinion:****Last Action Date:** 03/21/19**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.**rows:**

Wed 3/27/19 11:00am - House Hearing Rm III, House Finance, Ways & Means Subcommittee

MEMBERS: CHAIR A. Holt (R); J. Deberry Jr. (D); P. Hazlewood (R); G. Hicks (R); M. Hill (R); S. Lynn (R); B. Ogles (R); C. Sexton (R); J. Shaw (D)

2. **HB941** **CRIMINAL LAW: Expunction fees.** 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.
Lamberth W.
Amendment Summary: House Judiciary Committee, 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: 03/21/19 - Set for Senate Finance, Ways & Means Committee 03/26/19.
House Status: 03/21/19 - Set for House Finance, Ways & Means Subcommittee 03/27/19.
Executive Status: Senate Finance, Ways & Means Committee ; House Finance, Ways & Means Subcommittee ;
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 Date: 03/21/19
Position:
Priority:
Comment:
rows:
SB797 - J. Johnson - 03/21/19 - Set for Senate Finance, Ways & Means Committee 03/26/19.
23. **HB408** **ENVIRONMENT & NATURE: Expands definition of persons who may engage in the sport of hunting and fishing on farmlands without a license.** Allows parents of landowners and tenants of farmlands to hunt and fish on such land without a license.
Doggett C.
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: 03/21/19 - Set for House Finance, Ways & Means Subcommittee 03/27/19.
Executive Status: Senate Finance, Ways & Means Committee ; House Finance, Ways & Means Subcommittee ;
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 Date: 03/21/19
Position: Neutral
Priority:
Comment:
rows:
SB424 - J. Hensley - 03/13/19 - Senate Energy, Agriculture & Natural Resources Committee recommended. Sent to Senate Finance.
25. **HB825** **CRIMINAL LAW: Theft of property that includes firearm.** Increases penalty for theft of firearms valued under \$2,500 to a Class D felony.
Sherrell P.
Broadly captioned.
Amendment Summary: House Judiciary Committee amendment 1 (005248) changes to a Class E felony and makes technical changes.
Fiscal Note: (Dated February 24, 2019) Increase State Expenditures \$11,619,200 Incarceration* Decrease Local Expenditures \$288,000
Senate Status: 03/21/19 - Set for Senate Finance, Ways & Means Committee 03/26/19.
House Status: 03/21/19 - Set for House Finance, Ways & Means Subcommittee 03/27/19.
Executive Status: Senate Finance, Ways & Means Committee ; House Finance, Ways & Means Subcommittee ;
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 Date: 03/21/19
Position:
Priority:
Comment:
rows:
SB681 - T. Gardenhire - 03/21/19 - Set for Senate Finance, Ways & Means Committee 03/26/19.

Wed 3/27/19 12:30pm - House Hearing Rm IV, House Public Service & Employee Subcommittee

HB1232 has been added to the calendar by suspension of the rules on the House Floor on 03/21/19. MEMBERS: CHAIR B. Ramsey (R); R. Bricken (R); D. Hawk (R); G. Hicks (R); K. Keisling (R); H. Love Jr. (D); J. Shaw (D)

7. **HB1176 CRIMINAL LAW: Notification regarding off duty law enforcement officer possessing firearm on school grounds.** Removes requirement Weaver T. 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: 03/21/19 - Set for Senate Judiciary Committee 03/26/19.

House Status: 03/21/19 - Set for House Public Service & Employee Subcommittee 03/27/19.

Executive Status: Senate Judiciary Committee ; House Public Service & Employee Subcommittee ;

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 Date: 03/21/19

Position:

Priority:

Comment:

rows:

SB1301 - M. Pody - 03/21/19 - Set for Senate Judiciary Committee 03/26/19.

Wed 3/27/19 3:30pm - House Hearing Rm II, House Criminal Justice Subcommittee

MEMBERS: CHAIR A. Farmer (R); K. Camper (D); M. Curcio (R); C. Doggett (R); W. Lamberth (R); B. Ogles (R); A. Parkinson (D)

6. **HB1116 CRIMINAL LAW: Reckless endangerment with a deadly weapon.** Increases the penalty for the offense of reckless endangerment with a Coley J. 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: 03/21/19 - Set for House Criminal Justice Subcommittee 03/27/19.

Executive Status: Senate Judiciary Committee ; House Criminal Justice Subcommittee ;

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 Date: 03/21/19

Position: Oppose

Priority:

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

rows:

SB603 - E. Jackson - 02/07/19 - Referred to Senate Judiciary Committee.

10. **HB135** **CRIMINAL LAW: Offense of reckless endangerment by discharging a firearm into a parade or religious service.** 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.
- Love Jr. H.
- 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:** 03/19/19 - Senate Judiciary Committee recommended with previously adopted amendment 1 (004918). Sent to Senate Finance.
- House Status:** 03/21/19 - Set for House Criminal Justice Subcommittee 03/27/19.
- Executive Status:** Senate Finance, Ways & Means Committee ; House Criminal Justice Subcommittee ;
- Caption:** AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1, relative to reckless endangerment.
- AG Opinion:**
- Last Action Date:** 03/21/19
- Position:** Oppose
- Priority:**
- Comment:** Existing statutes and case law on reckless endangerment is adequate.
- rows:**
SB35 - B. Gilmore - 03/19/19 - Senate Judiciary Committee recommended with previously adopted amendment 1 (004918). Sent to Senate Finance.
12. **HB1478** **CRIMINAL LAW: Reckless endangerment.** 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.
- Hardaway
G.
- Amendment Summary:**
- Fiscal Note:**
- Senate Status:** 02/11/19 - Referred to Senate Judiciary Committee.
- House Status:** 03/21/19 - Set for House Criminal Justice Subcommittee 03/27/19.
- Executive Status:** Senate Judiciary Committee ; House Criminal Justice Subcommittee ;
- 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 Date:** 03/21/19
- Position:**
- Priority:**
- Comment:**
- rows:**
SB1315 - S. Kyle - 02/11/19 - Referred to Senate Judiciary Committee.