



TENNESSEE FIREARMS ASSOCIATION

Tennessee's ONLY No-Compromise Gun Organization

Tennessee Firearms Association

Legislative Session Report - June 7, 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: (Dated February 4, 2019) Increase State Expenditures \$138,900 Incarceration*

Senate Status: 05/01/19 - Senate passed.

House Status: 04/30/19 - House passed.

Executive 05/28/19 - Enacted as Public Chapter 0485 effective July 1, 2019.

Status:

Committees:

Public Chapter: PC485.pdf

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 05/28/19

Date:

Cosponsors: Rep. Camper, Karen; Rep. Coley, Jim; Sen. Haile, Ferrell; Rep. Hardaway, G.A.; Rep. Hazlewood, Patsy; Rep. Helton, Esther; Rep. Hodges, Jason; Rep. Jernigan, Darren; Sen. Kyle, Sara; Rep. Lamar, London; Rep. Lamberth, William; Rep. Love Jr., Harold; Sen. Massey, Becky; Rep. Moon, Jerome; Rep. Ogles, Brandon; Sen. Pody, Mark; Sen. Rose, Paul; Rep. Shaw, Johnny; Rep. Thompson , Dwayne; Rep. White, Mark;

Effective Date: 07/01/19

Position: Oppose

Priority:

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

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 (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: (Dated January 29, 2019) Other Fiscal Impact To the extent redesign of the handgun carry permit card can be accomplished with one of two available allowances permitted by the current third party vendor contract, any impact would be not significant. Otherwise, redesign of the card will result in a one-time state expenditure estimated to exceed \$15,000.

Senate Status: 02/13/19 - Senate passed with amendment 1 (002600).

House Status: 05/01/19 - House passed.

Executive 05/15/19 - Enacted as Public Chapter 0367 effective May 10, 2019.

Status:

Committees:

Public Chapter: PC367.pdf

Caption: AN ACT to amend Tennessee Code Annotated, Section 39-17-1351, relative to military personnel.

AG Opinion:

Last Action 05/15/19

Date:

Cosponsors: Rep. Cepicky, Scott; Rep. Cochran, Mark; Sen. Crowe, Rusty; Rep. Faison, Jeremy; Rep. Griffey, Bruce; Rep. Hodges, Jason; Rep. Hurt, Chris; Rep. Johnson, Curtis; Rep. Kumar, Sabi; Rep. Lamberth, William; Rep. Littleton, Mary; Rep. Ogles, Brandon; Rep. Parkinson, Antonio; Rep. Ragan, John; Rep. Russell, Lowell; Rep. Sherrell, Paul; Rep. Terry, Bryan; Rep. Tillis, Rick; Rep. Todd, Chris; Rep. White, Mark; Rep. Whitson, Sam ;

Effective Date: 05/10/19, 01/01/20

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: House amendment 1 (005918) deletes a provision of this bill that would have made possession of a telecommunication device in a penal institution without the chief administrator's consent a criminal offense. This amendment does not remove the present law offense of knowingly and with unlawful intent taking, sending, or otherwise causing to be taken into any penal institution where prisoners are quartered or under custodial supervision, which this bill increases in classification from a Class E felony to a Class D felony. This amendment changes the effective date of this bill's provision that authorizes a person whose driver license has been revoked or restricted due solely to the person's status as a motor vehicle habitual offender prior to July 1, 2019, to petition a court for reinstatement of the person's driver license. Under this amendment, instead of taking effect July 1, 2019, such provision will take effect 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 bill or January 1, 2020, whichever is earlier. This amendment removes release eligibility for a person who commits DUI, on or after January 1, 2019, if the person has at least six prior DUI convictions. This amendment requires that any such person serve 100 percent of the sentence imposed by the court less sentence credits earned and retained, not to exceed a reduction in the sentence of more than 15 percent. House amendment 2 (008290) adds that the judges of chancery and circuit courts have statewide jurisdiction to issue search warrants in any district. Senate amendment 3 (007440) deletes all language after the enacting clause. Repeals the Motor Vehicle Habitual Offenders Act. Reduces failure to appear in court offenses for Class A misdemeanor violations. Revises the punishment for introduction of certain contraband in penal institutions. Requires a 30-day minimum confinement period for any person who is convicted of theft of a firearm. Enhances the penalty for fifth DUI offenses. Removes the statute of limitations of certain convictions for consideration of DUI convictions. Requires individuals with seven or subsequent DUI convictions to serve 100 percent of the sentence imposed by the court less sentence credits not to exceed 15 percent. Authorizes the sheriff or chief administrative officer of a local jail or workhouse to use alternative facilities for the incarceration of an offender convicted of DUI. 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 Commissioner of the Department of Safety provides written notification to the Secretary of State and the Executive Secretary of the Tennessee Code Commission that the Department's "A-list" driver license program is capable of implementing the act or January 1, 2020, whichever is earlier. Senate amendment 4 (001200) restores the change described in the Summary for House Amendment #2.

Fiscal Note: (Dated February 11, 2019) Increase State Expenditures Net Impact \$10,713,700* Increase Local Expenditures \$302,700**

Senate Status: 05/01/19 - Senate reconsidered its actions, adopted amendment 4 (001200), which restores the change described in the Summary for House Amendment #2 and repassed the bill.

House Status: 05/02/19 - House concurred in Senate amendment 3 (007440) and amendment 4 (001200).

Executive Status: 05/28/19 - Enacted as Public Chapter 0486 effective May 24, 2019.

Status:

Committees:

Public Chapter: PC486.pdf

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

AG Opinion:

Last Action Date: 05/28/19

Cosponsors: Rep. Casada, Glen; Rep. Coley, Jim; Rep. Curcio, Michael; Rep. Dixie, Vincent; Rep. Farmer, Andrew; Rep. Gant, Ron; Rep. Griffey, Bruce; Rep. Hardaway, G.A.; Rep. Haston, Kirk; Rep. Helton, Esther; Rep. Littleton, Mary; Rep. Moon, Jerome; Rep. Ogles, Brandon; Rep. Sherrell, Paul; Rep. White, Mark; Sen. White, Dawn; Rep. Whitson, Sam ; Sen. Yager, Ken;

Effective Date: 05/24/19, 07/01/19, 01/01/20

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: 05/01/19 - Senate passed.
House Status: 04/30/19 - House passed.
Executive Status: 06/05/19 - Enacted as Public Chapter 0509 effective July 1, 2019.
Committees:
Public Chapter: PC505.pdf
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: 06/05/19
Cosponsors: Sen. Bailey, Paul; Sen. Bowling, Janice; Rep. Bricken, Rush; Rep. Byrd, David; Rep. Calfee, Kent; Rep. Cepicky, Scott; Rep. Cochran, Mark; Rep. Crawford, John; Rep. Curcio, Michael; Rep. Eldridge, Rick; Rep. Faison, Jeremy; Rep. Freeman, Bob; Rep. Gant, Ron; Sen. Gresham, Dolores; Rep. Griffey, Bruce; Rep. Hall, Mark; Rep. Haston, Kirk; Rep. Hill, Matthew; Rep. Hill, Timothy; Rep. Holt, Andy; Rep. Howell, Dan; Rep. Hurt, Chris; Sen. Jackson, Ed; Rep. Keisling, Kelly; Rep. Kumar, Sabi; Rep. Lafferty, Justin; Rep. Lamberth, William; Rep. Leatherwood, Tom; Rep. Littleton, Mary; Rep. Lynn, Susan; Rep. Moon, Jerome; Sen. Pody, Mark; Rep. Powers, Dennis; Sen. Powers, Bill; Rep. Ragan, John; Sen. Reeves, Shane; Rep. Sexton, Cameron; Rep. Sexton, Jerry; Rep. Sherrell, Paul; Sen. Stevens, John; Rep. Terry, Bryan; Rep. Tillis, Rick; Rep. Todd, Chris; Rep. VanHuss, James; Rep. Weaver, Terri; Sen. White, Dawn; Rep. Windle, John;
Effective Date: 07/01/19
Position:
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: House 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: 04/15/19 - Senate passed.
House Status: 03/25/19 - House passed with amendment 1 (004269).
Executive Status: 05/07/19 - Enacted as Public Chapter 0223 effective July 1, 2019.
Committees:
Public Chapter: PC223.pdf
Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to firearms, arms, ammunition, or firearms accessories.
AG Opinion:
Last Action Date: 05/07/19
Date:
Cosponsors: Rep. Byrd, David; Sen. Gresham, Dolores; Sen. Jackson, Ed; Rep. Kumar, Sabi; Sen. Stevens, John; Rep. Todd, Chris;
Effective Date: 07/01/19
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: House amendment 1 (005604) adds clarifying language specifying that changes applied in the bill for the General Sessions Courts applies to the Chancery Courts as well.
Fiscal Note: (Dated February 19, 2019) NOT SIGNIFICANT
Senate Status: 04/17/19 - Senate concurred in House amendment 1 (005604).
House Status: 04/08/19 - House passed with amendment 1 (005604).
Executive Status: 05/08/19 - Enacted as Public Chapter 0262 effective July 1, 2019.
Committees:
Public Chapter: PC262.pdf
Caption:
AG Opinion:

Last Action 05/08/19
Date:
Cosponsors: Rep. Hardaway, G.A.; Rep. Hazlewood, Patsy; Rep. Parkinson, Antonio; Rep. Staples, Rick; Rep. White, Mark;
Effective Date: 07/01/19
Position:
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: Senate 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. House amendment 1 (006798) 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) specify that in order for a petitioner to be eligible for expunction of public records involving offenses related to a person's status as a victim of human trafficking, he or she must not have had public records expunged for such reason prior; (3) establish that such offenses for which the petitioner is requesting expunction are eligible for expunction under Tenn. Code. Ann. § 40-32-101(g); (4) 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 (5) establish, upon filing a petition, the petitioner is required to remit a \$180 fee to the court clerk.
Fiscal Note: (Dated March 15, 2019) NOT SIGNIFICANT
Senate Status: 04/15/19 - Senate concurred in House amendment 1 (006798).
House Status: 04/10/19 - House passed with amendment 1 (006798).
Executive Status: 04/30/19 - Enacted as Public Chapter 0199 effective July 1, 2019.
Committees:
Public Chapter: PC199.pdf
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: 04/30/19
Cosponsors: Sen. Bowling, Janice; Sen. Briggs, Richard; Rep. Camper, Karen; Rep. Clemmons, John; Rep. Coley, Jim; Rep. Hakeem, Yusuf; Rep. Hardaway, G.A.; Rep. Hazlewood, Patsy; Rep. Helton, Esther; Rep. Hodges, Jason; Rep. Lafferty, Justin; Rep. Lamar, London; Rep. Littleton, Mary; Rep. Love Jr., Harold; Sen. Massey, Becky; Rep. Miller, Larry; Rep. Moody, Debra; Rep. Parkinson, Antonio; Rep. Potts, Jason; Rep. Powell, Jason; Sen. Robinson, Katrina; Rep. Sherrell, Paul; Rep. Smith, Robin; Rep. Staples, Rick; Sen. Stevens, John; Rep. White, Mark; Sen. White, Dawn;
Effective Date: 07/01/19
Position: Amend
Priority:
Comment: Amend to allow expungment of multiple convictions for any non-violent crime not just those related to sex trafficking

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: House amendment 1 (005330) removes this bill's provision that would exclude from the definition of "antique firearm" any weapon that incorporates a firearm frame or receiver, any firearm that is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition. This amendment also removes this bill's provision that would include in the definition of "destructive device" any type of weapon other than a shotgun or a shotgun shell that is generally recognized as particularly suitable for sporting purposes and which has any barrel with a bore of more than 0.5 inches in diameter. This amendment specifies that "destructive device" will not include any antique or rifle that the owner intends to use solely for sporting purposes.
Fiscal Note: (Dated February 22, 2019) NOT SIGNIFICANT
Senate Status: 04/22/19 - Senate concurred in House amendment 1 (005285).
House Status: 04/18/19 - House passed with amendment 1 (005330).
Executive Status: 05/08/19 - Enacted as Public Chapter 0279 effective May 2, 2019.
Committees:
Public Chapter: PC279.pdf
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: 05/08/19
Date:

Cosponsors: Rep. Kumar, Sabi; Rep. Lamberth, William; Rep. Terry, Bryan;
Effective Date: 05/02/19
Position: Support
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 amendment 2 (005134) deletes and rewrites all language after the enacting clause such that the only substantive changes are as follows: (1) requires a CCHP applicant to provide DOS with two sets of fingerprints, (2) requires an application and processing fee of \$65 to DOS, (3) requires DOS to forward the fingerprints to the Tennessee Bureau of Investigation (TBI) who shall conduct searches and record checks on the application and relay the results to DOS, (4) requires DOS to send a copy of the application to the sheriff of the county in which the applicant resides, (5) changes the period in which a CCHP is valid from five years to eight years, (6) requires a CCHP be issued on a wallet-sized laminated card of the same approximate size as driver licenses with the holder's name, address, date of birth, physical description, permit number, issuance and expiration dates, and a color photograph, and (7) changes the effective date from upon becoming law to January 1, 2020. House amendment 3 (007871) requires a CCHP holder to display the permit upon demand of a law enforcement officer; authorizes any law enforcement officer to disarm a permit holder at any time when believed reasonably necessary for the protection of the permit holder, officer, or another individual. Requires the law enforcement officer to return the handgun when the officer has determined that the permit holder is not a threat and has not committed a violation that results in arrest; and requires a CCHP applicant to provide a signed printed copy of a form stating the applicant has read and understands current state handgun carry laws.

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: 05/02/19 - Senate passed.
House Status: 04/30/19 - House passed with amendment 2 (005134) and amendment 3 (007871).
Executive Status: 05/28/19 - Enacted as Public Chapter 0479 effective January 1, 2020.

Committees:
Public Chapter: PC479.pdf
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 Date: 05/28/19

Cosponsors: Sen. Bell, Mike; Rep. Carter, Mike; Rep. Casada, Glen; Rep. Cepicky, Scott; Rep. Curcio, Michael; Rep. Doggett, Clay; Rep. Gant, Ron; Rep. Haston, Kirk; Rep. Kumar, Sabi; Rep. Lamberth, William; Rep. Littleton, Mary; Sen. Lundberg, Jon; Rep. Moon, Jerome; Rep. Powers, Dennis; Rep. Sexton, Cameron; Rep. VanHuss, James; Rep. Weaver, Terri;

Effective Date: 01/01/20
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 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: 04/18/19 - Senate passed.
House Status: 03/28/19 - House passed with amendment 1 (005255).
Executive Status: 05/07/19 - Enacted as Public Chapter 0244 effective July 1, 2019.

Committees:
Public Chapter: PC244.pdf
Caption: AN ACT to amend Tennessee Code Annotated, Title 40, relative to misdemeanors.

AG Opinion:

Last Action 05/07/19

Date:

Cosponsors: Sen. Akbari, Raumesh; Rep. Clemmons, John; Sen. Dickerson, Steven; Sen. Gilmore, Brenda; Rep. Hardaway, G.A.; Rep. Jernigan, Darren; Rep. Love Jr., Harold; Rep. Powell, Jason;

Effective Date: 07/01/19

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: Senate 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: 03/28/19 - Senate passed with amendment (005117).

House Status: 04/10/19 - House passed.

Executive Status: 04/30/19 - Enacted as Public Chapter 0200 effective July 1, 2019.

Status:

Committees:

Public Chapter: PC200.pdf

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 04/30/19

Date:

Cosponsors: Sen. Akbari, Raumesh; Rep. Bricken, Rush; Rep. Byrd, David; Rep. Camper, Karen; Rep. Carter, Mike; Rep. Cepicky, Scott; Rep. Chism, Jesse; Rep. Clemmons, John; Rep. Cochran, Mark; Rep. Coley, Jim; Rep. Cooper, Barbara; Rep. Curcio, Michael; Rep. Daniel, Martin; Rep. Deberry Jr., John; Sen. Dickerson, Steven; Rep. Dixie, Vincent; Rep. Doggett, Clay; Rep. Faison, Jeremy; Rep. Gant, Ron; Rep. Garrett, Johnny ; Sen. Gilmore, Brenda; Rep. Hakeem, Yusuf; Rep. Hardaway, G.A.; Rep. Haston, Kirk; Rep. Hazlewood, Patsy; Rep. Helton, Esther; Rep. Hodges, Jason; Rep. Holt, Andy; Rep. Hurt, Chris; Sen. Jackson, Ed; Rep. Kumar, Sabi; Rep. Lamar, London; Rep. Leatherwood, Tom; Rep. Littleton, Mary; Rep. Love Jr., Harold; Sen. Massey, Becky; Rep. Miller, Larry; Rep. Mitchell, Bo; Rep. Ogles, Brandon; Rep. Parkinson, Antonio; Sen. Pody, Mark; Rep. Potts, Jason; Rep. Powell, Jason; Sen. Robinson, Katrina; Sen. Rose, Paul; Rep. Sanderson, Bill; Rep. Sexton, Jerry; Rep. Shaw, Johnny; Rep. Sherrell, Paul; Rep. Sparks, Mike; Rep. Staples, Rick; Rep. Stewart, Mike; Rep. Terry, Bryan; Rep. Thompson , Dwayne; Rep. Tillis, Rick; Rep. Todd, Chris; Rep. Towns Jr., Joe; Rep. Vaughan, Kevin; Rep. Weaver, Terri; Rep. White, Mark; Sen. Yarbro, Jeff; Rep. Zachary, Jason;

Effective Date: 07/01/19

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: 04/01/19 - House passed.

Executive Status: 04/15/19 - Enacted as Public Chapter 0109 effective July 1, 2019.

Status:

Committees:

Public Chapter: PC109.pdf

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

AG Opinion:

Last Action 04/15/19

Date:

Cosponsors: Rep. Byrd, David; Rep. Doggett, Clay; Rep. Griffey, Bruce; Rep. Howell, Dan; Rep. Lamberth, William; Rep. Sherrell, Paul; Sen. Stevens, John;

Effective Date: 07/01/19

Position:

Priority:

Comment:

SB1326/HB1320 CRIMINAL LAW: School notification of certain adjudicated delinquent offenses.

Sponsors: Sen. Bowling, Janice , Rep. Eldridge, Rick
Summary: Adds that all offenses listed are situations where the court must notify the child's school if there is delinquent adjudication. Establishes the parents, guardians, or legal custodians, including the department of children's services acting in any capacity must provide notification if a student has committed certain offenses in this state or another state.

Amendment

Summary:

Fiscal Note: (Dated March 13, 2019) NOT SIGNIFICANT

Senate Status: 04/08/19 - Senate passed.

House Status: 04/22/19 - House passed.

Executive Status: 05/13/19 - Enacted as Public Chapter 0313 effective May 8, 2019.

Status:

Committees:

Public Chapter: PC313.pdf

Caption: AN ACT to amend Tennessee Code Annotated, Section 37-1-131(a)(2)(B) and Section 49-6-3051(b), relative to school notification of certain adjudicated delinquent offenses.

AG Opinion:

Last Action Date: 05/13/19

Date:

Cosponsors: Rep. Littleton, Mary;

Effective Date: 05/08/19

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: 04/04/19 - Senate passed.

House Status: 05/01/19 - House passed.

Executive Status: 05/16/19 - Enacted as Public Chapter 0396 effective July 1, 2019.

Status:

Committees:

Public Chapter: PC396.pdf

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: 05/16/19

Date:

Cosponsors: Rep. Carter, Mike; Rep. Doggett, Clay; Rep. Freeman, Bob; Rep. Gant, Ron; Sen. Gresham, Dolores; Rep. Griffey, Bruce; Sen. Haile, Ferrell; Rep. Helton, Esther; Rep. Hulsey, Bud; Sen. Jackson, Ed; Rep. Keisling, Kelly; Rep. Lamberth, William; Rep. Lynn, Susan; Sen. Pody, Mark; Rep. Reedy, Jay; Rep. Smith, Robin; Rep. Tillis, Rick; Rep. Weaver, Terri;

Effective Date: 07/01/19

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 Status: 04/08/19 - Enacted as Public Chapter 0092 effective March 28, 2019.

Status:

Committees:

Public Chapter: PC92.pdf

Caption: AN ACT to amend Tennessee Code Annotated, Section 39-17-1350, relative to certain law enforcement officers carrying firearms.
AG Opinion:
Last Action 04/08/19
Date:
Cosponsors: Rep. Byrd, David; Rep. Calfee, Kent; Rep. Crawford, John; Rep. Haston, Kirk; Sen. Jackson, Ed; 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: 02/28/19
Position: Neutral
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 House amendment 2 (007680) rewrites this bill to create a Class A misdemeanor offense for the transfer of a firearm to a person knowing that the person: (1) 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 (2) Is receiving inpatient mental health or substance abuse treatment at a hospital or treatment resource.
Summary:
Fiscal Note: (Dated March 1, 2019) Increase State Expenditures Exceeds \$100,000/One-Time
Senate Status: 04/30/19 - Senate passed.
House Status: 04/15/19 - House passed with amendment 2 (007680).
Executive 05/24/19 - Enacted as Public Chapter 0432 effective May 21, 2019.
Status:
Committees:
Public Chapter: PC732.pdf
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 05/24/19
Date:
Cosponsors: Rep. Casada, Glen; Rep. Curcio, Michael; Rep. Daniel, Martin; Rep. Freeman, Bob; Rep. Griffey, Bruce; Rep. Hardaway, G.A.; Rep. Hazlewood, Patsy; Rep. Helton, Esther; Rep. Kumar, Sabi; Rep. Littleton, Mary; Rep. Sherrell, Paul; Rep. Tillis, Rick; Rep. White, Mark;
Effective Date: 05/21/19
Position:
Priority:
Comment: Originally, TFA felt the bill needed work. The House has totally rewritten the bill to do something quite different than what the original bill did. This is just another example of the legislature running "caption" bills for the purpose of obscuring its real intent rather than transparency. Those responsible for this bait and switch manner of public stewardship should be asked to change their ways and adopt a more forthcoming and transparent means of representing the public.

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: 04/22/19 - Signed by Senate speaker.
House Status: 04/22/19 - Signed by House speaker.
Executive 04/18/19 - Sent to the speakers for signatures.
Status:
Committees:
Public Chapter:
Caption:
AG Opinion:
Last Action 04/22/19
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.