



TENNESSEE FIREARMS ASSOCIATION

Tennessee's ONLY No-Compromise Gun Organization

Bill Status Report - March 5, 2021

SB15/HB7 **HEALTH CARE: Powers of county mayor during a county-wide health emergency.**

Sponsors: Sen. Bell, Mike , Rep. Zachary, Jason

Summary: Specifies that the county mayor has the authority to establish and implement health policies that affect the entire county during a county-wide health emergency. Directs the county health director, health officer, and board of health to provide advice to the mayor to develop the policies. Applies only in Shelby, Davidson, Knox, Hamilton, Sullivan, and Madison counties.

Amendment Summary: House Health Subcommittee amendment 1 (003619) requires the county mayor to declare a state of emergency to gain the exclusive authority mentioned. Removes limitations on what counties the legislation applies to. Establishes that county boards of health are advisory bodies to the county mayor.

Subcommittee: Health_Sub_02.24.21.pdf

Amendments:

Fiscal Note: (Dated December 1, 2020) NOT SIGNIFICANT

Intro Dates: S: 01/12/21, H: 01/12/21

Senate Status: 01/13/21 - Referred to Senate Health & Welfare Committee.

House Status: 03/04/21 - Set for House Floor on 03/08/21.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 5 and Title 68, Chapter 2, Part 6, relative to public health emergencies.

AG Opinion:

Cosponsors: Rep. Carringer, Michele; Rep. Cepicky, Scott; Rep. Faison, Jeremy; Rep. Gant, Ron; Rep. Hall, Mark; Rep. Helton, Esther; Rep. Howell, Dan; Rep. Hurt, Chris; Rep. Lafferty, Justin; Rep. Lamberth, William; Rep. Moon, Jerome; Rep. Sherrell, Paul; Rep. Smith, Robin; Rep. Terry, Bryan; Rep. Todd, Chris; Rep. White, Mark; Rep. Wright, Dave;

Effective Date:

Position:

Priority:

Task:

Comment:

SB19/HB864 **CRIMINAL LAW: Assault against a first responder includes nurses.**

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

Summary: Adds nurses to the assault against a first responder who is discharging or attempting to discharge official duties statute.

Amendment Summary:

Subcommittee:

Amendments:

Fiscal Note: (Dated January 26, 2021) NOT SIGNIFICANT

Intro Dates: S: 01/12/21, H: 02/10/21

Senate Status: 03/01/21 - Senate passed.

House Status: 02/20/21 - Referred to House Criminal Justice Subcommittee.

Executive Status:

Public Chapter:

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

AG Opinion:

Cosponsors: Sen. Bailey, Paul; Sen. Briggs, Richard; Sen. Gardenhire, Todd; Sen. Niceley, Frank; Sen. Rose, Paul; Sen. Walley, Page; Sen. Watson, Bo; Sen. Yager, Ken;

Effective Date:

Position:

Priority:

Task:

Comment:

SB189/HB50 **CRIMINAL LAW: 2021 Defense Doctrine.**

Sponsors: Sen. Bowling, Janice , Rep. Ogles, Brandon

Summary: Expands definition of duress to include grave sexual abuse. Broadly captioned.

Amendment Summary: House Criminal Justice Subcommittee amendment 1 (003721) renames the bill as the "2020 Defense Doctrine." Changes a reference from the police officer standards and training commission to the peace officer standards and training commission.

Subcommittee: Criminal_Justice_Subcommittee_02.24.21.pdf

Amendments:

Fiscal Note: (Dated January 13, 2021) NOT SIGNIFICANT

Intro Dates: S: 02/08/21, H: 01/12/21

Senate Status: 02/10/21 - Referred to Senate Judiciary Committee.

House Status: 03/03/21 - House Criminal Justice Committee recommended with amendment 1 (003721) renames the bill as the "2020 Defense Doctrine." Changes a reference from the police officer standards and training commission to the peace officer standards and training commission. Sent to House Calendar & Rules.

Executive Status:

Public Chapter:

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

AG Opinion:

Cosponsors: Rep. Lamberth, William;

Effective Date:

Position:

Priority:

Task:

Comment:

SB227/HB103 EDUCATION: Firearm safety instructions for students.

Sponsors: Sen. Hensley, Joey , Rep. Ogles, Brandon
Summary: Beginning with the 2022-2023 school year, requires each local education agency and public charter school to provide students with age-appropriate and grade-appropriate instruction on firearm safety.

Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note: (Dated January 12, 2021) NOT SIGNIFICANT
Intro Dates: S: 02/08/21, H: 01/12/21
Senate Status: 02/10/21 - Referred to Senate Education Committee.
House Status: 03/02/21 - Taken off notice in House Education Instruction Subcommittee.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to firearm safety instruction.
AG Opinion:
Cosponsors:
Effective Date:
Position: Support
Priority: 2 - Second-tier
Task:
Comment:

SB262/HB1594 CRIMINAL LAW: Waives certain gun carry permit fees for retired military.

Sponsors: Sen. Niceley, Frank , Rep. Towns Jr., Joe
Summary: Waives an enhanced handgun carry permit's application fee for retired members of the military who are residents of the state. Broadly captioned.

Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note:
Intro Dates: S: 02/08/21, H: 02/25/21
Senate Status: 02/10/21 - Referred to Senate Judiciary Committee.
House Status: 03/01/21 - Referred to House Civil Justice Subcommittee.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to handgun carry permits.
AG Opinion:
Cosponsors:
Effective Date:
Position: Neutral
Priority:
Task:
Comment: While this is a popular topic for legislators, the fact is that bills like this do not waive any fees. Instead, these bills are shifting the costs of these programs and services to other applicants or taxpayers.

SB318/HB18 CRIMINAL LAW: Open or concealed carrying of a firearm with the intent to go armed.

Sponsors: Sen. Hensley, Joey , Rep. Griffey, Bruce
Summary: Creates exceptions to the offense of open or concealed carrying of a firearm with the intent to go armed for any person legally in possession and not prohibited from possessing a firearm. Converts existing defenses to be exceptions. Broadly captioned.

Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note:
Intro Dates: S: 02/08/21, H: 01/12/21
Senate Status: 02/10/21 - Referred to Senate Judiciary Committee.
House Status: 03/03/21 - House Criminal Justice Subcommittee recommended. Sent to full committee.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 10; Title 33; Title 38; Title 39; Title 40; Title 50 and Title 70, relative to the carrying of firearms.
AG Opinion:
Cosponsors: Sen. Bowling, Janice; Rep. Campbell, Scotty; Rep. Cepicky, Scott; Rep. Doggett, Clay; Rep. Eldridge, Rick; Rep. Garrett, Johnny ; Rep. Grills, Rusty; Rep. Hall, Mark; Rep. Hulsey, Bud; Rep. Kumar, Sabi; Rep. Lamberth, William; Rep. Rudd, Tim ; Rep. Sexton, Jerry; Rep. Terry, Bryan; Rep. Todd, Chris; Rep. Warner, Todd; Rep. Weaver, Terri;
Effective Date:
Position: Support
Priority: 1 - Top-tier
Task:
Comment: This is a constitutional carry bill and is a refiled version of one pending in 2020. It would improve current law by creating an exception to a criminal charge.

SB412/HB1588 CRIMINAL LAW: Issuance of extreme risk protection orders.

Sponsors: Sen. Gilmore, Brenda , Rep. Camper, Karen
Summary: Allows a court to issue an extreme risk protection order upon a finding by clear and convincing evidence that a person poses a significant risk of harm to the person or others if allowed to possess or purchase a firearm. Authorizes a law enforcement officer or family or household member to petition for such an order. Specifies that a petitioner seeking an extreme risk protection order is not required to be represented by an attorney and the court shall not award attorney fees to any party in any proceeding under this part. Specifies other requirements for issuance of an extreme risk protection order (15 pp).

Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note:
Intro Dates: S: 02/08/21, H: 02/25/21
Senate Status: 02/10/21 - Referred to Senate Judiciary Committee.

House Status: 03/01/21 - Referred to House Children & Family Affairs Subcommittee.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to extreme risk protection orders.
AG Opinion:
Cosponsors:
Effective Date:
Position: Oppose
Priority: 1 - Top-tier
Task:
Comment: RED FLAG Law if enacted as filed. This bill must be defeated.

SB543/HB661 CRIMINAL LAW: Audit of handgun permit application fees.

Sponsors: Sen. Powers, Bill , Rep. Mannis, Eddie
Summary: Deletes requirement that the comptroller of the treasury must conduct an annual audit of the TBI regarding the bureau's receipt and use of the \$15 portion of the handgun carry permit application fee to be used exclusively for updating and maintaining the fingerprint criminal history database.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note: (Dated February 9, 2021) NOT SIGNIFICANT
Intro Dates: S: 02/10/21, H: 02/10/21
Senate Status: 03/02/21 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.
House Status: 02/20/21 - Referred to House Civil Justice Subcommittee.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Section 39-17-1351, relative to the audit of handgun permit application fees.
AG Opinion:
Cosponsors:
Effective Date:
Position: Neutral
Priority:
Task:
Comment: Bill, as filed, would require annual audit of TDOS financial records to make sure that the \$15 added to the handgun permit is used for purposes set forth in TCA 39-17-1351(p)

SB647/HB1393 CRIMINAL LAW: Restoration of suffrage with a plan to pay restitution.

Sponsors: Sen. Robinson, Katrina , Rep. Shaw, Johnny
Summary: Allows persons to be eligible to apply for a voter registration card and have their right to suffrage restored if they have agreed on a plan to pay the full amount of required restitution in installments and is current on their payments. Broadly captioned.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note:
Intro Dates: S: 02/10/21, H: 02/24/21
Senate Status: 02/11/21 - Referred to Senate Judiciary Committee.
House Status: 03/01/21 - Referred to House Criminal Justice Subcommittee.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 40, relative to restoration of rights of citizenship.
AG Opinion:
Cosponsors:
Effective Date:
Position:
Priority:
Task:
Comment:

SB675/HB888 CRIMINAL LAW: Fees for expunction.

Sponsors: Sen. Haile, Ferrell , Rep. Curcio, Michael
Summary: Allows a clerk to charge a fee of less than \$100 for expunction. Expands the offenses for which expunction is permitted.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note:
Intro Dates: S: 02/10/21, H: 02/11/21
Senate Status: 02/11/21 - Referred to Senate Judiciary Committee.
House Status: 03/03/21 - House Criminal Justice Subcommittee deferred to 03/10/21.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Section 8- 21-401 and Title 40, relative to expunction.
AG Opinion:
Cosponsors: Rep. Doggett, Clay; Rep. Lamberth, William;
Effective Date:
Position:
Priority:
Task:
Comment:

SB765/HB786 CRIMINAL LAW: Handgun carry permits and offenses involving handguns.

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

Summary:

Creates an exemption for unlawful carrying of a firearm if the person meets the qualifications for an enhanced handgun carry permit, lawfully possesses the handgun and is in a place where they have a right to be. Clarifies that a person who has a valid enhanced handgun carry permit, a concealed handgun carry permit or lawfully carries a handgun is allowed to transport and store a firearm and ammunition in their vehicle. Changes the requirements for carrying a handgun carry permit to only being required to do so when carrying a handgun in a location or manner that would otherwise be prohibited if not for the person's status as a permit holder. Upgrades the charge of theft of a firearm from a class A misdemeanor to a class E felony for thefts valued at less than \$2,500. Changes the sentence for theft of a firearm from no less than 30 days confinement to no less than 180 days confinement. Allows the court to consider if an offense involved the theft of a firearm from a motor vehicle as a sentence enhancement factor. Establishes that for certain firearms offenses there is to be no release eligibility before the offender serves 85 percent of their sentence. Part of Administration Package.

*Amendment**Summary:*

Senate Judiciary Committee amendment 1 (004122) Deletes and adds language to the original bill such that any person at least 21 years old or at least 18 years old and is a member of or honorably discharged or retired from the United States Armed Forces or any National Guard or Reserves is exempt from the offense of open or concealed carrying of a firearm with the intent to go armed if legally in possession and not prohibited from carrying a firearm. Creates a Class B misdemeanor offense for a person to carry a handgun who has been convicted of stalking, aggravated stalking, or especially aggravated stalking, convicted of two or more DUIs within the last ten years or one within the last five years. Creates a Class B misdemeanor offense for a person to carry a handgun who has been adjudicated as a mental defective, judicially committed to or hospitalized in a mental institution or has had a court appoint a conservator for the person by reason of a mental defect. House Criminal Justice Subcommittee amendment 1 (003738) establishes that those who are at least 21 years of age and those who are at least 18 years of age and have served in the military are eligible to carry a handgun without a permit in certain situations. House Criminal Justice Subcommittee amendment 2 (004089) establishes that it is a class B misdemeanor to carry a firearm after being convicted of certain offenses, being adjudicated as mentally defective or being prohibited from carrying a firearm in federal statute.

*Subcommittee**Amendments:**Fiscal Note:**Intro Dates:*

S: 02/10/21, H: 02/10/21

Senate Status:

03/02/21 - Senate Judiciary Committee recommended with amendment 1 (004122). Sent to Senate Finance.

House Status:

03/03/21 - House Criminal Justice Subcommittee recommended with amendment 1 (003738) and amendment 2 (004089). Sent to full committee.

*Executive Status:**Public Chapter:**Caption:*

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14, Part 1; Title 39, Chapter 17, Part 13 and Title 40, Chapter 35, relative to firearms.

*AG Opinion:**Cosponsors:*

Sen. Bell, Mike; Rep. Gant, Ron; Rep. Griffey, Bruce; Rep. Grills, Rusty; Rep. Sexton, Jerry; Rep. Terry, Bryan;

*Effective Date:**Position:*

Neutral

Priority:

1 - Top-tier

*Task:**Comment:*

This bill appears to be the refiled version of the Governor's crime package from 2020 that had in it provisions which would create an "exception" to a charge of illegal possession if a) meets the qualifications for obtaining a state enhanced handgun permit (i.e., this does not apply to all who can legally possess a firearm), b) the person lawfully possess the handgun and c) the person is in a place where they have a right to be.

SB1380/HB1406 **CRIMINAL LAW: Establishing new policies regarding the use of force by law enforcement.**

Sponsors:

Sen. Bell, Mike , Rep. Curcio, Michael

Summary:

Prohibits the use of chokeholds by law enforcement unless the officer reasonably believes that deadly force is necessary. Changes the curriculum at state law enforcement training facilities to reflect the banning of chokeholds. Requires each law enforcement agency to develop a policy regarding de-escalation and train officers on de-escalation techniques. Establishes a duty to intervene for officers that witness or have knowledge of other officers using excessive force. Requires law enforcement agencies to develop a use of force reporting system designed to identify trends and provide timely information. Prohibits the issuance of no-knock warrants.

*Amendment**Summary:**Subcommittee**Amendments:**Fiscal Note:*

(Dated February 23, 2021) NOT SIGNIFICANT

Intro Dates:

H: 02/24/21

Senate Status:

02/22/21 - Referred to Senate Judiciary Committee.

House Status:

03/01/21 - Referred to House Criminal Justice Subcommittee.

*Executive Status:**Public Chapter:**Caption:*

AN ACT to amend Tennessee Code Annotated, Title 38; Title 39 and Title 40, relative to criminal justice.

*AG Opinion:**Cosponsors:**Effective Date:**Position:**Priority:**Task:**Comment:*

SB1391/HB1388 **CRIMINAL LAW: Unlawful carrying or possession of a weapon.**

Sponsors:

Sen. Bowling, Janice , Rep. Todd, Chris

*Summary:**Amendment**Summary:**Subcommittee**Amendments:**Fiscal Note:**Intro Dates:*

H: 02/24/21

Senate Status:

02/22/21 - Referred to Senate Judiciary Committee.

House Status:

03/01/21 - Referred to House Criminal Justice Subcommittee.

*Executive Status:**Public Chapter:**Caption:*

AN ACT to amend Tennessee Code Annotated, Title 39, relative to the carrying of weapons.

*AG Opinion:**Cosponsors:*

Rep. Grills, Rusty; Rep. Weaver, Terri;

*Effective Date:**Position:**Priority:**Task:**Comment:*

SB1486/HB1438 **CRIMINAL LAW: Situations that permit an expungement of criminal records.**

Sponsors:

Sen. Akbari, Raumesh , Rep. Lamar, London

Summary: Establishes that those convicted of class C, D or E felonies must have their felony records expunged given that they meet certain criteria. Specifies that people are only eligible for expunction after being released from custody. Mandates that the felony must not be violent or sexual in nature to qualify for expunction. Clarifies the terms of the expunction.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Intro Dates: H: 02/24/21

Senate Status: 02/22/21 - Referred to Senate Judiciary Committee.

House Status: 03/01/21 - Referred to House Criminal Justice Subcommittee.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to expunction of certain offenses.

AG Opinion:

Cosponsors:

Effective Date:

Position:

Priority:

Task:

Comment:

SJR1 JUDICIARY: Constitutional amendment - selection of attorney general and reporter.

Sponsors: Sen. Yager, Ken ,

Summary: Proposes 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:

Subcommittee

Amendments:

Fiscal Note: (Dated January 26, 2021) Increase Local Expenditures Up to \$10,000/FY22-23*

Intro Dates: S: 01/12/21

Senate Status: 03/04/21 - Senate heard on second reading.

House Status:

Executive Status:

Public Chapter:

Caption:

AG Opinion:

Cosponsors:

Effective Date:

Position: Oppose

Priority: 2 - Second-tier

Task:

Comment: TFA does not support the concept of an appointed attorney general even as proposed in this legislation. TFA supports and calls for the enactment of laws that allow the people of this state to elect an attorney general (or similar office) to ensure that the loyalty of such individual and office is first to the people of the state of Tennessee.

SJR10 JUDICIARY: Constitutional amendment - powers of governor during a disability.

Sponsors: Sen. Massey, Becky ,

Summary: Proposes an amendment to Article II and Article III of the Constitution of Tennessee, relative to provide for the exercise of the powers and duties of the governor during disability.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated January 26, 2021) Increase Local Expenditures Up to \$10,000/FY22-23*

Intro Dates: S: 01/12/21

Senate Status: 03/04/21 - Senate adopted on third reading.

House Status:

Executive Status:

Public Chapter:

Caption:

AG Opinion:

Cosponsors:

Effective Date:

Position:

Priority:

Task:

Comment: