



TENNESSEE FIREARMS ASSOCIATION

Tennessee's ONLY No-Compromise Gun Organization

Bill Status Report - March 19, 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 amendment 1 to 1 (004445) amends provisions of Amendment 003975 to establish county boards of health act solely in advisory roles to county mayors during public health emergencies, as determined by the county mayor. House amendment 1 (003975) deletes and rewrites all language after the enacting clause such that the substantive changes: (1) establish statewide applicability; and (2) remove primacy prescribed to regulations of county boards of health over certain local ordinances.

Subcommittee Amendments: Health_Sub_02.24.21.pdf

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

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

Senate Status: 03/17/21 - Set for Senate Health & Welfare Committee 03/24/21.

House Status: 03/08/21 - House passed with amendment 1 to 1 (004445) and amendment 1 (003975). Amendment 1 to 1 amends provisions of Amendment 1 to establish county boards of health act solely in advisory roles to county mayors during public health emergencies, as determined by the county mayor. Amendment 1 deletes and rewrites all language after the enacting clause such that the substantive changes: (1) establish statewide applicability; and (2) remove primacy prescribed to regulations of county boards of health over certain local ordinances.

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. Bricken, Rush; Rep. Carringer, Michele; Rep. Cepicky, Scott; Rep. Cochran, Mark; Rep. Faison, Jeremy; Rep. Gant, Ron; Rep. Garrett, Johnny ; Rep. Hall, Mark; Rep. Helton, Esther; Rep. Howell, Dan; Rep. Hurt, Chris; Rep. Lafferty, Justin; Rep. Lamberth, William; Rep. Littleton, Mary; Rep. Moody, Debra; Rep. Moon, Jerome; Rep. Ogles, Brandon; Rep. Ragan, John; Rep. Sherrell, Paul; Rep. Smith, Robin; Rep. Terry, Bryan; Rep. Todd, Chris; Rep. Weaver, Terri; 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: 03/18/21 - Set for House Criminal Justice Subcommittee 03/24/21.

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: Senate amendment 1 (004664) deletes and replaces language in the original bill such that the only substantive change is to clarify the requirements for course materials apply to the Peace Officer Standards and Training Commission. House amendment 1 (003721) deletes and replaces language in the original bill such that the only substantive changes are to clarify: (1) the act is referred to as the 2020 Defense Doctrine; and (2) the requirements for course materials apply to the Peace Officer Standards and Training Commission.

Subcommittee Amendments: Criminal_Justice_Subcommittee_02.24.21.pdf

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

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

Senate Status: 03/18/21 - Senate passed with amendment 1 (004664), which deletes and replaces language in the original bill such that the only substantive change is to clarify the requirements for course materials apply to the Peace Officer Standards and Training Commission.

House Status: 03/15/21 - House passed with amendment 1 (003721), which deletes and replaces language in the original bill such that the only substantive changes are to clarify: (1) the act is referred to as the 2020 Defense Doctrine; and (2) the requirements for course materials apply to the Peace Officer Standards and Training Commission.

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. Crawford, John; Sen. Gilmore, Brenda; Rep. Griffey, Bruce; Rep. Lamar, London; Rep. Lamberth, William; Sen. Lundberg, Jon; Sen. Pody, Mark; Sen. Rose, Paul; Sen. Stevens, John;

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: 03/18/21 - Set for House Education Instruction Subcommittee 03/23/21.

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: (Dated March 11, 2021) Decrease State Revenue \$280,100/FY21-22 and Subsequent Years/Handgun Permit Division \$106,500/FY21-22 and Subsequent Years/Tennessee Bureau of Investigation Increase State Expenditures \$8,000/FY21-22/Handgun Permit Division Decrease State Expenditures \$2,300/FY27-28 and Subsequent Years/Handgun Permit Division Decrease Local Revenue \$34,600/FY21-22 and Subsequent Years

Intro Dates: S: 02/08/21, H: 02/25/21

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

House Status: 03/18/21 - Set for House Civil Justice Subcommittee 03/23/21.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to handgun carry permits.

AG Opinion:

Cosponsors: Rep. Griffey, Bruce;

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.

SB277/HB153 CRIMINAL LAW: Disposition of confiscated weapons.

Sponsors: Sen. Rose, Paul , Rep. Moody, Debra

Summary: Expands the type of equipment for which law enforcement agencies may exchange confiscated weapons to include any equipment suitable for use for legitimate law enforcement purposes.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated January 12, 2021) NOT SIGNIFICANT

Intro Dates: S: 02/08/21, H: 01/13/21

Senate Status: 03/17/21 - Set for Senate Judiciary Committee 03/23/21.

House Status: 03/17/21 - House Criminal Justice Committee recommended. Sent to House Calendar & Rules.

Executive Status:

Public Chapter:

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

AG Opinion:

Cosponsors: Rep. Griffey, Bruce;

Effective Date:

Position:

Priority:

Task:

Comment:

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:**

(Dated February 19, 2021) Decrease State Revenue \$2,676,500/FY21-22 and Subsequent Years/ Handgun Permit Division \$594,600/FY21-22 and Subsequent Years/ Tennessee Bureau of Investigation Decrease State Expenditures \$72,300/FY21-22 and Subsequent Years/ Handgun Permit Division \$313,700/FY21-22 and Subsequent Years/ Tennessee Bureau of Investigation Decrease Local Revenue \$203,300/FY21-22 and Subsequent Years

Intro Dates:

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

Senate Status:

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

House Status:

03/18/21 - Set for House Finance, Ways & Means Subcommittee 03/24/21.

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. Bricken, Rush; Rep. Calfee, Kent; Rep. Campbell, Scotty; Rep. Carr, Dale; Rep. Cepicky, Scott; Rep. Doggett, Clay; Rep. Eldridge, Rick; Rep. Faison, Jeremy; Rep. Farmer, Andrew; Rep. Gant, Ron; Rep. Garrett, Johnny; Rep. Grills, Rusty; Rep. Hall, Mark; Rep. Hulsey, Bud; Rep. Kumar, Sabi; Rep. Lamberth, William; Rep. Littleton, Mary; Rep. Lynn, Susan; Sen. Pody, Mark; Rep. Reedy, Jay; Rep. Rudd, Tim; Rep. Rudder, Iris; Rep. Russell, Lowell; Rep. Sexton, Jerry; Rep. Sherrell, Paul; Rep. Smith, Robin; Sen. Southerland, Steve; 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.

SB404/HB412 PROFESSIONS & LICENSURE: Retired law enforcement officers - private protective services.**Sponsors:**

Sen. Haile, Ferrell, Rep. Jernigan, Darren

Summary:

Permits a retired law enforcement officer who is authorized to carry a firearm in the same manner as an active law enforcement officer to provide private security services without completing the required firearms training. Broadly captioned.

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

(Dated March 4, 2021) Increase State Revenue - \$100/FY21-22 and Subsequent Years/ Tennessee Bureau of Investigation \$500/FY21-22 and FY22-23/ Board of Private Protective Services \$800/FY23-24 and Subsequent Years/ Board of Private Protective Services Increase State Expenditures \$100/FY21-22 and Subsequent Years/ Tennessee Bureau of Investigation Pursuant to Tenn. Code Ann. 4-29-121, all regulatory boards are required to be self-sufficient over any two-year period. The Board of Private Protective Services experienced a surplus of \$366,435 in FY18-19, a surplus of \$330,287 in FY19-20, and had a cumulative reserve balance of \$3,096,365 on June 30, 2020.

Intro Dates:

S: 02/08/21, H: 02/08/21

Senate Status:

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

House Status:

03/18/21 - Set for House Civil Justice Subcommittee 03/23/21.

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

AN ACT to amend Tennessee Code Annotated, Title 38 and Title 62, Chapter 35, relative to retired law enforcement officers.

AG Opinion:**Cosponsors:****Effective Date:****Position:****Priority:****Task:****Comment:****SB456/HB43 CRIMINAL LAW: Prohibits law enforcement surveillance on private property.****Sponsors:**

Sen. Bell, Mike, Rep. Faison, Jeremy

Summary:

Prohibits law enforcement from entering private property to engage in surveillance or set up surveillance equipment unless the officer has obtained a search warrant or a judicially recognized exception to the warrant requirement exists. Broadly captioned.

Amendment**Summary:**

House Criminal Justice Subcommittee amendment 1 (004387) allows law enforcement officers to enter private property to engage in electronic surveillance if they have obtained consent from the landowner or tenant of the property in the last year. Establishes that this legislation does not limit evidence collected from privately controlled monitoring devices, equipment worn by law enforcement officers or installed on law enforcement vehicles.

Subcommittee**Amendments:****Fiscal Note:**

(Dated January 11, 2021) NOT SIGNIFICANT

Intro Dates:

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

Senate Status:

03/17/21 - Set for Senate Judiciary Committee 03/23/21.

House Status:

03/10/21 - House Criminal Justice Subcommittee recommended with amendment 1 (004387). Sent to full committee.

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

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to surveillance of private property.

AG Opinion:**Cosponsors:**

Rep. Grills, Rusty;

Effective Date:**Position:**

Support

Priority:

2 - Second-tier

Task:**Comment:****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: 03/08/21 - Senate passed.
 House Status: 03/18/21 - Set for House Civil Justice Committee 03/24/21.
 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)

SB551/HB761 TAXES SALES: Sales and use tax exemption on purchases of gun safes and gun safety devices.

Sponsors: Sen. Kyle, Sara , Rep. Sparks, Mike
 Summary: Creates a sales and use tax exemption for purchases of gun safes and gun safety devices. Defines "gun safe" as a locking enclosure designed for the secure storage of one or more firearms. Defines "gun safety device" as a device installed on a firearm that allows the user to program the firearm to only operate for specific persons.
 Amendment
 Summary:
 Subcommittee:
 Amendments:
 Fiscal Note: (Dated February 9, 2021) Decrease State Revenue Net Impact \$321,300/FY21-22 and Subsequent Years Decrease Local Revenue Net Impact \$131,100/FY21-22 and Subsequent Years
 Intro Dates: S: 02/10/21, H: 02/10/21
 Senate Status: 03/09/21 - Senate Finance Revenue Subcommittee returned to full committee with a negative recommendation.
 House Status: 03/18/21 - Set for House Finance, Ways & Means Subcommittee 03/24/21.
 Executive Status:
 Public Chapter:
 Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 6, relative to taxation of gun safes and gun safety devices.
 AG Opinion:
 Cosponsors:
 Effective Date:
 Position: Support
 Priority: 2 - Second-tier
 Task:
 Comment: This bill, as filed, would exempt gun safes and storage from sales and use taxes.

SB557/HB446 CRIMINAL LAW: Tennessee Firearm Protection Act.

Sponsors: Sen. Bell, Mike , Rep. Warner, Todd
 Summary: Prohibits the expenditure of state or local funds to implement, regulate, or enforce any federal law or executive order regulating the sale of firearms, ammunition, or firearm accessories if the expenditure of funds would violate a state law or the state constitution. Also prohibits the allocation of state or local personnel or property to implement, regulate, or enforce any federal law or executive order regulating the sale or possession of firearms, ammunition, or firearm accessories if the expenditure would violate state law or the state constitution.
 Amendment
 Summary:
 Subcommittee:
 Amendments:
 Fiscal Note: (Dated February 2, 2021) NOT SIGNIFICANT
 Intro Dates: S: 02/10/21, H: 02/08/21
 Senate Status: 02/11/21 - Referred to Senate Judiciary Committee.
 House Status: 03/18/21 - Set for House Civil Justice Subcommittee 03/23/21.
 Executive Status:
 Public Chapter:
 Caption: AN ACT to amend Tennessee Code Annotated, Title 38 and Title 39, relative to firearm laws.
 AG Opinion:
 Cosponsors: Rep. Griffey, Bruce;
 Effective Date:
 Position:
 Priority:
 Task:
 Comment: TFA supports legislation in general that strengthens 2nd and 10th Amendment issues to prohibit state funds or resources to be used to enforce ANY federal law, regulation or executive order. This bill could be used to do that but requires an amendment to add enforcement provisions and penalties.

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: (Dated March 10, 2021) NOT SIGNIFICANT
 Intro Dates: S: 02/10/21, H: 02/24/21
 Senate Status: 03/16/21 - Senate Judiciary Committee deferred to 03/30/21.
 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: Rep. Chism, Jesse; Rep. Cooper, Barbara; Rep. Hardaway, G.A.; Rep. McKenzie, Sam; Rep. Parkinson, Antonio;
 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: (Dated March 1, 2021) Increase Local Revenue - \$141,200/FY21-22 and Subsequent Years
Intro Dates: S: 02/10/21, H: 02/11/21
Senate Status: 02/11/21 - Referred to Senate Judiciary Committee.
House Status: 03/18/21 - Set for House Criminal Justice Subcommittee 03/24/21.
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:

SB747/HB79 GOVERNMENT REGULATION: UAPA - payment of expenses incurred during proceedings related to contested cases.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Requires a party issued a notice of violation by an agency to prevail on the merits of all allegations in the notice at the contested case hearing in order to recover reasonable costs from the agency. Requires a hearing officer or administrative law judge to set forth in writing facts upon which certain determinations are based. Requires parties seeking judicial review of certain agency decisions to cover reasonable costs of the review, including costs for the time, travel, and lodging of the office of the attorney general, court reporter and transcript costs, and court costs.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note: (Dated January 7, 2021) NOT SIGNIFICANT
Intro Dates: S: 02/10/21, H: 01/12/21
Senate Status: 03/17/21 - Set for Senate Government Operations Committee 03/24/21.
House Status: 03/18/21 - Set for House Government Operations Committee 03/22/21.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Section 4- 5-325 and Section 63-1-144, relative to payment of expenses incurred during proceedings related to contested cases.
AG Opinion:
Cosponsors: Rep. Gant, Ron; Rep. Ramsey, Bob; Sen. Roberts, Kerry;
Effective Date:
Position: Oppose
Priority:
Task:
Comment: TFA opposes legislation which would shift costs to the citizens involved in administrative hearings involving government agencies. Such legislation can be the "camel's nose under the tent" and lead to fee shifting in administrative matters involving permit holders, FFL's and even gun ranges.

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 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 Committee 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 Committee 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: Criminal_Justice_Subcommittee_03.03.21.pdf
Fiscal Note: (Dated February 21, 2021) Decrease State Revenue \$2,676,500/FY21-22 and Subsequent Years/ Handgun Permit Division \$594,600/FY21-22 and Subsequent Years/ Tennessee Bureau of Investigation Increase State Expenditures \$12,319,300 "Incarceration" Decrease State Expenditures \$72,300/FY21-22 and Subsequent Years/ Handgun Permit Division \$313,700/FY21-22 and Subsequent Years/ Tennessee Bureau of Investigation Decrease Local Revenue \$203,300/FY21-22 and Subsequent Years Decrease Local Expenditures Net Impact Exceeds \$624,900/FY21-22 and Subsequent Years The Governors proposed budget for FY21-22, on page A-35, recognizes a recurring increase in state expenditures to the General Fund of \$17,746,700, a recurring decrease in revenue to the Handgun Permit Division of \$2,411,100, and a recurring decrease in revenue to the Tennessee Bureau of Investigation of \$469,600 in FY21-22 and subsequent years. HB 786 - SB 765 1
Intro Dates: S: 02/10/21, H: 02/10/21
Senate Status: 03/18/21 - Senate passed with amendment 1 (004122), which 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 Status: 03/18/21 - Set for House Finance, Ways & Means Committee 03/23/21.
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; Sen. Bowling, Janice; Rep. Faison, Jeremy; Rep. Gant, Ron; Rep. Griffey, Bruce; Rep. Grills, Rusty; Rep. Halford, Curtis; Sen. Lundberg, Jon; Sen. Powers, Bill; Rep. Russell, Lowell; Rep. Sexton, Jerry; Rep. Sherrell, Paul; Sen. Stevens, John; 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.

SB890/HB1018 CRIMINAL LAW: Criminal history check every four years for persons issued a concealed handgun carry permit.

Sponsors: Sen. Stevens, John , Rep. Halford, Curtis
Summary: Requires the department of safety to do a name-based criminal history record check on concealed handgun carry permit holders every 4 years after they obtain the permit and revoke individuals' permits if they violate state or federal law prohibiting them from carrying a firearm.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 5, 2021) Increase State Revenue \$1,657,200/FY27-28 and Subsequent Years/Handgun Permit Division Increase State Expenditures \$96,000/FY21-22/Handgun Permit Division

Intro Dates: S: 02/11/21, H: 02/11/21

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

House Status: 03/16/21 - House Civil Justice Subcommittee deferred to final calendar.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to concealed handgun carry permits.

AG Opinion:

Cosponsors:

Effective Date:

Position:

Priority:

Task:

Comment:

SB896/HB1186 ESTATES & TRUSTS: Makes various changes to laws regarding trusts.

Sponsors: Sen. Stevens, John , Rep. Garrett, Johnny
Summary: Specifies that in cases where the total amount of money and property received in a distribution is equal to or less than twenty percent it is not a partial liquidation. Places administration of a trust under the purview of state laws. Expands matters a nonjudicial settlement agreement can resolve to include trust protectors or trust advisors and approval of investment decisions. Makes exemptions for powers of the trust protector or advisor (12 pp.).

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 10, 2021) NOT SIGNIFICANT

Intro Dates: S: 02/11/21, H: 02/22/21

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

House Status: 03/18/21 - Set for House Civil Justice Committee 03/24/21.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 35, relative to trusts.

AG Opinion:

Cosponsors:

Effective Date:

Position:

Priority:

Task:

Comment:

SB946/HB1321 CRIMINAL LAW: Reckless endangerment definition and punishment.

Sponsors: Sen. Kyle, Sara , Rep. Hardaway, G.A.
Summary: Specifies that the offense of reckless endangerment applies to actions committed by multiple people as well as individuals. Establishes that motor vehicles are deadly weapons for the purpose of reckless endangerment. Specifies that reckless endangerment in a group of two or more people, from within a motor vehicle or into a motor vehicle is a class C felony that is punishable by the revocation of the person's driver's license for five years. Allows the court to sentence someone guilty of reckless endangerment with a deadly weapon to anger management classes. Establishes a sentence enhancement for acts of reckless endangerment found to be acts of community terrorism. Defines "community terrorism" as an offense committed against a population by members of a criminal gang that regularly engages in gang-related conduct.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 5, 2021) Increase State Expenditures \$29,300 Incarceration*

Intro Dates: S: 02/11/21, H: 02/22/21

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

House Status: 03/18/21 - Set for House Criminal Justice Subcommittee 03/24/21.

Executive Status:

Public Chapter:

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

AG Opinion:

Cosponsors: Rep. Griffey, Bruce;

Effective Date:

Position:

Priority:
Task:
Comment:

SB1003/HB26 CRIMINAL LAW: Changes qualifications for disqualifying use of force in self-defense.

Sponsors: Sen. Jackson, Ed , Rep. Todd, Chris
Summary: Changes the parameters of disqualifying actions from "unlawful activity" to "conduct that would constitute a felony or Class A misdemeanor" in justifying use of force in self-defense.
Amendment Summary:
Subcommittee:
Amendments:
Fiscal Note: (Dated December 10, 2020) NOT SIGNIFICANT
Intro Dates: S: 02/11/21, H: 01/12/21
Senate Status: 02/22/21 - Referred to Senate Judiciary Committee.
House Status: 03/18/21 - Set for House Criminal Justice Subcommittee 03/24/21.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Section 39-11-611, relative to self-defense.
AG Opinion:
Cosponsors: Rep. Alexander, Rebecca; Rep. Calfee, Kent; Rep. Doggett, Clay; Rep. Garrett, Johnny ; Rep. Williams, Ryan;
Effective Date:
Position: Support
Priority:
Task:
Comment: TFA supports this bill but would like to see it amended to eliminate inclusion of any misdemeanor matters or nonviolent felonies.

SB1039/HB1159 CRIMINAL LAW: Court scheduling priority for a juvenile illegally in possession of a firearm.

Sponsors: Sen. Campbell, Heidi , Rep. Stewart, Mike
Summary: Requires that allegations regarding a juvenile illegally in possession of a firearm be given priority in court scheduling and be heard as soon as realistically possible.
Amendment Summary:
Subcommittee:
Amendments:
Fiscal Note: (Dated February 23, 2021) NOT SIGNIFICANT
Intro Dates: S: 02/11/21, H: 02/22/21
Senate Status: 02/22/21 - Referred to Senate Judiciary Committee.
House Status: 03/18/21 - Set for House Criminal Justice Subcommittee 03/24/21.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 37; Title 39 and Title 40, relative to juveniles in possession of firearms.
AG Opinion:
Cosponsors:
Effective Date:
Position:
Priority:
Task:
Comment:

SB1040/HB1160 CRIMINAL LAW: Illegal transfer of a firearm.

Sponsors: Sen. Campbell, Heidi , Rep. Stewart, Mike
Summary: Creates the offense of illegal transfer of a firearm to a prohibited possessor. Specifies that this occurs when a person intentionally transfers a firearm to someone they know or reasonably should know is prohibited from possessing a firearm under state or federal law. Includes an exemption for when the person receiving a firearm is only prohibited from possessing a firearm due to their age and the transfer is for a limited period of time under the transferor's supervision for the purposes of firearms instruction, hunting or sport shooting. States that the offense is a class A misdemeanor.
Amendment Summary:
Subcommittee:
Amendments:
Fiscal Note: (Dated February 19, 2021) NOT SIGNIFICANT
Intro Dates: S: 02/11/21, H: 02/22/21
Senate Status: 02/22/21 - Referred to Senate Judiciary Committee.
House Status: 03/18/21 - Set for House Criminal Justice Subcommittee 03/24/21.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 37 and Title 39, Chapter 17, Part 13, relative to the transfer of firearms.
AG Opinion:
Cosponsors:
Effective Date:
Position:
Priority:
Task:
Comment:

SB1041/HB1161 CRIMINAL LAW: Purchasing of a firearm from seller that is not a licensed gun dealer.

Sponsors: Sen. Campbell, Heidi , Rep. Stewart, Mike
Summary: Requires all firearm sales or transfers where neither party is a licensed gun dealer to be conducted through a licensed gun dealer. Requires the licensed gun dealer to run the required criminal history background check. Establishes scenarios where a temporary transfer of a firearm is legal.
Amendment Summary:
Subcommittee:
Amendments:
Fiscal Note: (Dated March 18, 2021) Increase State Revenue - \$4,084,900/FY21-22 and Subsequent Years/TBI Increase State Expenditures - \$250,600/FY21-22 and Subsequent Years/TBI
Intro Dates: S: 02/11/21, H: 02/22/21

Senate Status: 02/22/21 - Referred to Senate Judiciary Committee.
House Status: 03/18/21 - Set for House Civil Justice Subcommittee 03/23/21.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13 and Title 67, Chapter 6, relative to firearms.
AG Opinion:
Cosponsors:
Effective Date:
Position:
Priority:
Task:
Comment:

SB1148/HB25 CRIMINAL LAW: Allows stay of proceedings in certain cases of use of force.

Sponsors: Sen. White, Dawn , Rep. Todd, Chris
Summary: Allows a person who uses justifiable force against another to request a stay of proceedings until the criminal investigation concludes. Allows for an immunity hearing. Broadly captioned.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note: (Dated December 15, 2020) NOT SIGNIFICANT
Intro Dates: S: 02/11/21, H: 01/12/21
Senate Status: 02/22/21 - Referred to Senate Judiciary Committee.
House Status: 03/17/21 - House Civil Justice Committee recommended. Sent to House Calendar & Rules.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 39, relative to justification of force.
AG Opinion:
Cosponsors: Rep. Calfee, Kent; Rep. Doggett, Clay; Rep. Garrett, Johnny ; Rep. Griffey, Bruce; Rep. Grills, Rusty; Sen. Jackson, Ed; Rep. Williams, Ryan;
Effective Date:
Position: Support
Priority: 1 - Top-tier
Task:
Comment: If has an existing civil immunity statute but it needs important improvements. This bill brings substantial improvements that existing statute. This is a bill that was refiled from 2020.

SB1184/HB981 CRIMINAL LAW: Punishment for reckless endangerment with a deadly weapon.

Sponsors: Sen. Jackson, Ed , Rep. Gillespie, John
Summary: Establishes that reckless endangerment by discharging a firearm from within a motor vehicle during a road rage incident is a class D felony. Defines "road rage incident" as aggressive behavior of a driver towards another driver or drivers on a public road, includes menacing, gestures, yelling, honking excessively and throwing objects.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note: (Dated March 4, 2021) Increase State Expenditures \$14,100 Incarceration*
Intro Dates: H: 02/11/21
Senate Status: 02/22/21 - Referred to Senate Judiciary Committee.
House Status: 03/18/21 - Set for House Criminal Justice Committee 03/24/21.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13 and Title 55, Chapter 10, Part 2, relative to reckless endangerment.
AG Opinion:
Cosponsors: Rep. Griffey, Bruce; Rep. Hardaway, G.A.; Rep. Love Jr., Harold; Rep. Thompson, Dwayne;
Effective Date:
Position:
Priority:
Task:
Comment:

SB1333/HB899 JUDICIARY: Creates civil action against government entity that violates a person's right to bear arms.

Sponsors: Sen. Hensley, Joey , Rep. Doggett, Clay
Summary: Establishes that it is a violation of an individual's civil rights for a government entity or official to infringe or deny an individual's rights to carry a firearm as established in the United States and Tennessee constitutions. Clarifies that it is not a violation of rights for a government entity or official to enforce laws within their scope unless the law has been found to violate either the United States or Tennessee constitutions. Establishes that violation of this is cause for civil action against the county, can be punished as official oppression and can be grounds for an ouster.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note: (Dated February 21, 2021) NOT SIGNIFICANT
Intro Dates: H: 02/11/21
Senate Status: 03/17/21 - Set for Senate Judiciary Committee 03/23/21.
House Status: 03/18/21 - Set for House Civil Justice Committee 03/24/21.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 54 and Title 8, Chapter 47, relative to the Tennessee Firearms Freedom Act.
AG Opinion:
Cosponsors: Rep. Griffey, Bruce;
Effective Date:
Position:
Priority:
Task:
Comment:

SB1334/HB902 CRIMINAL LAW: Department of safety annual report on handgun carry permits provided electronically.

Sponsors: Sen. Hensley, Joey , Rep. Doggett, Clay
Summary: Authorizes the department of safety to provide its annual report on handgun carry permits to the members of the general assembly electronically. Broadly captioned.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note: (Dated February 12, 2021) NOT SIGNIFICANT
Intro Dates: H: 02/11/21
Senate Status: 02/22/21 - Referred to Senate Judiciary Committee.
House Status: 03/18/21 - Set for House Civil Justice Subcommittee 03/23/21.
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 weapons.
AG Opinion:
Cosponsors:
Effective Date:
Position:
Priority:
Task:
Comment:

SB1335/HB928 CRIMINAL LAW: Tennessee Second Amendment Sanctuary Act.

Sponsors: Sen. Hensley, Joey , Rep. Campbell, Scotty
Summary: Enacts the "Tennessee Second Amendment Sanctuary Act," which declares any federal law, treaty, executive order or other regulation that violates the Second Amendment of the United States Constitution null and unenforceable in the state. Prohibits the state and all political subdivisions from using public resources to enforce, administer or cooperate with the enforcement of any such regulation. Broadly captioned.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note: (Dated February 21, 2021) NOT SIGNIFICANT
Intro Dates: H: 02/11/21
Senate Status: 02/22/21 - Referred to Senate Judiciary Committee.
House Status: 03/18/21 - Set for House Civil Justice Subcommittee 03/23/21.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 38 and Title 39, relative to the Tennessee Second Amendment Sanctuary Act.
AG Opinion:
Cosponsors: Rep. Griffey, Bruce; Rep. Grills, Rusty; Rep. Reedy, Jay;
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: Specifies that the offense of carrying a firearm or club is only an offense if the person has previously been convicted of a violent felony, a felony involving a deadly weapon or a felony drug offense. Establishes that the offense is a class B felony for those convicted of violent felonies or felonies involving a deadly weapon and a class C felony for those convicted of a felony drug offense. Establishes that possession of a firearm is a class E felony if the person has previously been convicted of a felony. Deletes provisions regarding legal defenses to unlawful possession or carrying of a weapon.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note: (Dated March 11, 2021) Decrease State Revenue \$2,676,500/FY21-22 and Subsequent Years/ Handgun Permit Division \$594,600/FY21-22 and Subsequent Years/ Tennessee Bureau of Investigation Decrease State Expenditures \$72,300/FY21-22 and Subsequent Years/ Handgun Permit Division \$313,700/FY21-22 and Subsequent Years/ Tennessee Bureau of Investigation Decrease Local Revenue \$203,300/FY21-22 and Subsequent Years
Intro Dates: H: 02/24/21
Senate Status: 02/22/21 - Referred to Senate Judiciary Committee.
House Status: 03/18/21 - Set for House Criminal Justice Subcommittee 03/24/21.
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:

SB1608/HB159 CRIMINAL LAW: Personal Privacy Protection Act.

Sponsors: Sen. Bailey, Paul , Rep. Williams, Ryan
Summary: Prohibits public agencies from requiring an individual, 501(c)s, or contractors with the agency to provide personal information. Establishes protections for personal information confidential and not an open record. Creates a civil cause of action and criminal offense for violations. Broadly captioned.
Amendment
Summary:
Subcommittee
Amendments:
Fiscal Note: (Dated January 13, 2021) NOT SIGNIFICANT
Intro Dates: H: 01/14/21
Senate Status: 03/17/21 - Set for Senate State & Local Government Committee 03/23/21.

House Status: 03/18/21 - Set for House Civil Justice Committee 03/24/21.
Executive Status:
Public Chapter:
Caption: AN ACT to amend Tennessee Code Annotated, Title 2; Title 3; Title 4; Title 5; Title 6; Title 7; Title 10; Title 12; Title 39; Title 40 and Title 41, relative to privacy.
AG Opinion:
Cosponsors: Rep. Todd, Chris;
Effective Date:
Position: Neutral
Priority:
Task:
Comment:

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: 03/18/21 - Set for House State Government Committee 03/23/21.
Executive Status:
Public Chapter:
Caption:
AG Opinion:
Cosponsors: Sen. Bowling, Janice; Sen. Gardenhire, Todd; Sen. Jackson, Ed; Rep. Lamberth, William; Sen. Powers, Bill; Sen. Reeves, Shane; Sen. Walley, Page;
Effective Date:
Position:
Priority:
Task:
Comment: