



## Tennessee Firearms Association

### Calendar Report - Week of January 29, 2024

Tue 1/30/24 12:00pm - House Hearing Rm II, House Criminal Justice Subcommittee

MEMBERS W/ EMAILS: Email All; CHAIR C. Doggett (R); E. Davis (R); J. Gillespie (R); G. Hardaway (D); D. Howell (R); B. Hulseley (R); G. Johnson (D); W. Lamberth (R); D. Moody (R); L. Russell (R); J. Towns Jr. (D) STAFF: Emily Hamby; Ryan Baird, Research Analyst PHONE: 615-741-7476 EMAIL: john.gleason@capitol.tn.gov

1. **HB1640** **MENTAL HEALTH: Adjudication as a mental defective.** Expands the definition of "adjudication as a mental defective" to include a person who has been found incompetent to stand trial in a criminal proceeding and requires the clerk of court in such a proceeding to collect and report any such finding to the federal bureau of investigation-NICS Index and the department of safety. Establishes a rebuttable presumption that a person who has been charged with a criminal offense and found incompetent to stand trial poses a substantial likelihood of serious harm. Prohibits the purchase or possession of a firearm by a person who has been adjudicated as a mental defective.



Lamberth  
W.

**Amendment Summary:**

**Subcommittee Amendments:**

**Fiscal Note:**

**Senate Status:** 01/24/24 - Introduced in the Senate

**House Status:** 01/24/24 - Set for House Criminal Justice Subcommittee 01/30/24.

**Executive Status:** House Criminal Justice Subcommittee ;

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 16; Title 33; Title 37; Title 39 and Title 40, relative to mental health.

**AG Opinion:**

**Cosponsors:** Rep. Bricken, Rush; Rep. Sherrell, Paul; Rep. Williams, Ryan;

**Position:** Neutral

**Priority:**

**Comment:** Possible caption bill. Further, this proposed legislation appears to be likely unconstitutional under the United States Supreme Court's decision in *New York State Rifle and Pistol Association v. Bruen*, No. 20-843. The legislation fails the TFA's "Bruen Basis" test. For the "Bruen Basis" test, please see TFA's website at <https://tennesseefirearms.com/2023/12/gun-owners-need-to-be-prepared-to-demand-that-legislators-demonstrate-a-bruen-basis-for-their-legislative-proposals/>

**rows:**

SB1769 - J. Lundberg - 01/24/24 - Introduced in the Senate

- 2. **HB994** **CRIMINAL LAW: Threats of deadly force by private citizens making an arrest.** Clarifies that a threat to use deadly force by a private citizen making an arrest is not in itself considered a use of deadly force. Prohibits a private citizen from threatening to use deadly force during the course of a citizen's arrest unless the arrest is for a crime committed or threatened against the citizen making the arrest or for a violent crime committed or threatened in the presence of the citizen making the arrest.



**Amendment Summary:**

**Subcommittee Amendments:**

**Fiscal Note:** (Dated March 8, 2023) NOT SIGNIFICANT

**Senate Status:** 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.

**House Status:** 01/24/24 - Set for House Criminal Justice Subcommittee 01/30/24.

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

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11, Part 6, relative to criminal liability.

**AG Opinion:**

**Cosponsors:**

**Position:**

**Priority:**

**Comment:**

**rows:**

SB908 - F. Niceley - 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.

Wed 1/31/24 10:30am - House Hearing Rm I, House State Government Committee

MEMBERS W/ EMAILS: Email All; CHAIR K. Keisling (R); VICE CHAIR R. Eldridge (R); R. Alexander (R); R. Bricken (R); E. Butler (R); M. Carringer (R); J. Chism (D); V. Dixie (D); K. Haston (R); J. Holsclaw, Jr. (R); C. Hurt (R); D. Jernigan (D); C. Johnson (R); T. Leatherwood (R); M. Littleton (R); J. McCalmon (R); L. Miller (D); J. Pearson (D); J. Powell (D); D. Powers (R); I. Rudder (R); B. Terry (R) STAFF: Emily Johnson, Executive Assistant; Nathan Whitt, Research Analyst PHONE: 615-741-6852 EMAIL: nathan.whitt@capitol.tn.gov

- 5. **HB1651** **LOTTERY: Application by nonprofit organization to operate a charitable gaming event.** Establishes a five-day period after the effective date of this act during which a nonprofit organization may apply to operate a charitable gaming event during the annual period beginning July 1, 2023, until June 30, 2024.



**Amendment Summary:**

**Subcommittee Amendments:**

**Fiscal Note:**

**Senate Status:** 01/10/24 - Referred to Senate Commerce & Labor Committee.

**House Status:** 01/24/24 - Set for House State Government Committee 01/31/24.

**Executive Status:** Senate Commerce & Labor Committee ; House State Government Committee ;

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 3, Chapter 17, relative to charitable gaming.

**AG Opinion:**

**Cosponsors:**


**Position:**

**Priority:**

**Comment:**

**rows:**

SB1669 - J. Johnson - 01/10/24 - Referred to Senate Commerce & Labor Committee.

- 8. **HB1708 GOVERNMENT ORGANIZATION: Charitable organization fees and reporting.** Changes certain fees payable to the secretary of state by certain charitable organizations from \$50 to \$10. Increases from \$500,000 to \$1,000,000 the amount of gross revenue received during a fiscal year to trigger certain reporting requirements. Assesses a late fee of \$25 per month on certain financial reports that are not timely filed. 

McCalmon J.

**Amendment Summary:**

**Subcommittee Amendments:**

**Fiscal Note:**

**Senate Status:** 01/10/24 - Referred to Senate Commerce & Labor Committee.

**House Status:** 01/24/24 - Set for House State Government Committee 01/31/24.

**Executive Status:** Senate Commerce & Labor Committee ; House State Government Committee ;

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 3, Chapter 17, Part 1 and Title 48, Chapter 101, Part 5, relative to charitable organizations.

**AG Opinion:**

**Cosponsors:**


**Position:**

**Priority:**

**Comment:**

**rows:**

SB1662 - A. Swann - 01/10/24 - Referred to Senate Commerce & Labor Committee.

- 9. **HB1707 MISCELLANEOUS: Charitable Solicitations Act.** Revises various provisions regarding the regulation of charitable solicitations regarding the age of organization to be regulated, public contributions, and tax exemption status. Allows a civil penalty to be assessed if violations occur. 

McCalmon J.

**Amendment Summary:**

**Subcommittee Amendments:**

**Fiscal Note:**

**Senate Status:** 01/10/24 - Referred to Senate Commerce & Labor Committee.

**House Status:** 01/24/24 - Set for House State Government Committee 01/31/24.

**Executive Status:** Senate Commerce & Labor Committee ; House State Government Committee ;

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 48, Chapter 101, Part 5, relative to charitable organizations.

**AG Opinion:**

**Cosponsors:**

**Position:**

**Priority:**


**Comment:**

**rows:**

SB1661 - A. Swann - 01/10/24 - Referred to Senate Commerce & Labor Committee.

Wed 1/31/24 12:00pm - House Hearing Rm I, House Civil Justice Committee

MEMBERS W/ EMAILS: Email All; CHAIR A. Farmer (R); VICE CHAIR D. Jernigan (D); R. Bricken (R); G. Bulso (R); K. Capley (R); R. Eldridge (R); R. Gant (R); J. Garrett (R); R. Grills (R); T. Harris (D); W. Lamberth (R); M. Littleton (R); A. Parkinson (D); J. Powell (D); L. Russell (R); R. Stevens (R); C. Todd (R) STAFF: Robbie Farmer; Ryan Hamilton, Research Analyst PHONE: 615-741-4419 EMAIL: courtney.kaufman@capitol.tn.gov

- 3. **HB746** **CRIMINAL LAW: Removes the authorization to possess a weapon.** Removes the authorization for an individual, corporation, business entity, or local, state, or federal government entity to prohibit the possession of weapons by a person who is at a meeting conducted by or on property owned, operated, or managed or under the control of the individual, corporation, business entity, or government entity. Removes the criminal offense of possession of a weapon in a building or on property that is properly posted. 

Barrett J.

**Amendment Summary:** House Civil Justice Subcommittee amendment 1 (006047) exempts enhanced handgun permit holders from being prohibited to possess weapons on property that is lawfully posted to indicate the possession of weapons is prohibited on the premises. Removes the penalty of handgun permit suspension or revocation for the offense of unlawful possession of a weapon on the premises of a property that has been lawfully posted to indicate such possession is prohibited. Eliminates the offense of possessing a weapon on property that is lawfully posted to indicate the possession of weapons is prohibited on the premises.

**Subcommittee Amendments:**

**Fiscal Note:** (Dated March 4, 2023) NOT SIGNIFICANT

**Senate Status:** 03/13/23 - Taken off notice in Senate Judiciary Committee.

**House Status:** 01/24/24 - Set for House Civil Justice Committee 01/31/24.

**Executive Status:** Senate Judiciary Committee ; House Civil Justice Committee ;

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

**AG Opinion:**

**Cosponsors:** Rep. Bricken, Rush; Rep. Capley, Kip; Rep. Doggett, Clay; Rep. Fritts, Monty; Rep. Lynn, Susan; Rep. Reedy, Jay; Rep. Richey, Bryan; Rep. Todd, Chris; Rep. Warner, Todd;


**Position:**

**Priority:**

**Comment:**

**rows:**

SB1037 - J. Stevens - 03/13/23 - Taken off notice in Senate Judiciary Committee.

- 4. **HB1044** **CRIMINAL LAW: Enhanced handgun carry permit issued by department of safety.** Requires the department of safety to issue permits with the designation "Enhanced Handgun Carry Permit" on the front of the permit. Requires the department to issue a replacement with the designation "Enhanced Handgun Carry Permit" for any permit that contains the designation "Handgun Carry Permit" upon renewal. Prohibits the department to require a permit holder from undergoing a new test or class in order to receive a replacement permit. 

Bricken R.

**Amendment Summary:**

**Subcommittee Amendments:**

**Fiscal Note:** (Dated March 10, 2023) Other Fiscal Impact To the extent that the required modifications to the Department of Safety's card management system can be accomplished within available resources provided under the current vendor contract, the proposed legislation will not result in a significant increase in state expenditures. Otherwise, those modifications could result in a one-time increase in state expenditures of up to \$190,000 in FY23-24.

**Senate Status:** 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.

**House Status:** 01/24/24 - Set for House Civil Justice Committee 01/31/24.

**Executive Status:** Senate Judiciary Committee ; House Civil Justice Committee ;

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

**AG Opinion:**

**Cosponsors:** Rep. Barrett, Jody; Rep. Burkhart, Jeff; Rep. Butler, Ed; Rep. Capley, Kip; Rep. Doggett, Clay; Rep. Eldridge, Rick; Rep. Fritts, Monty; Rep. Grills, Rusty; Rep. Hicks, Tim; Rep. Lynn, Susan; Rep. Reedy, Jay; Rep. Richey, Bryan; Rep. Todd, Chris; Rep. Warner, Todd;


**Position:**

**Priority:**

**Comment:**


**rows:**

SB1322 - P. Bailey - 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.

- 5. **HB1631** **EDUCATION: Private schools - adoption of handgun carry policies.** Clarifies that a private school serving students in any of the grades pre-K through 12 is authorized to adopt a handgun carry policy for the private school's property. 
- Bulso G.
- Amendment Summary:**
- Subcommittee Amendments:**
- Fiscal Note:** (Dated January 11, 2024) NOT SIGNIFICANT
- Senate Status:** 01/11/24 - Introduced in the Senate
- House Status:** 01/24/24 - Set for House Civil Justice Committee 01/31/24.
- Executive Status:** House Civil Justice Committee ;
- Caption:** AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13; Title 49, Chapter 1 and Title 49, Chapter 50, relative to private schools.
- AG Opinion:**
- Cosponsors:**
- Position:** Support
- Priority:**
- Comment:**
- rows:**  
SB1708 - J. Hensley - 01/11/24 - Introduced in the Senate

Wed 1/31/24 1:30pm - House Hearing Rm I, House Education Administration Committee

The committee will hear presentations from Tennessee Higher Education Commission (THEC) and Comptroller's Office of Research and Education Accountability (OREA). MEMBERS W/ EMAILS: Email All; CHAIR M. White (R); VICE CHAIR W. Slater (R); C. Baum (R); G. Bulso (R); E. Butler (R); S. Cepicky (R); M. Fritts (R); R. Gant (R); J. Gillespie (R); K. Haston (R); C. Hurt (R); J. Lafferty (R); H. Love Jr. (D); S. McKenzie (D); A. Parkinson (D); J. Ragan (R); B. Richey (R); R. Stevens (R); T. Warner (R) STAFF: Carley Easley, Research Analyst PHONE: 615-741-4415 EMAIL: carley.easley@capitol.tn.gov

- 7. **HB1644** **EDUCATION: Policy for responding to fire alarm activated on school premises outside of a scheduled fire drill.** Requires each LEA, public charter school, private school, and church-related school to develop a policy to direct how students, teachers, and staff are to respond when a fire alarm is activated on school premises outside of a scheduled fire drill to protect students, teachers, and staff in the event the fire alarm was activated due to the presence of an active shooter on school premises. Requires each LEA to coordinate with appropriate safety teams to incorporate the procedure. Specifies that the procedure must be implemented no later than July 1, 2024. 
- Lamberth W.
- Amendment Summary:**
- Subcommittee Amendments:**
- Fiscal Note:**
- Senate Status:** 01/11/24 - Referred to Senate Education Committee.
- House Status:** 01/25/24 - Set for House Education Administration Committee 01/31/24.
- Executive Status:** Senate Education Committee ; House Education Administration Committee ;
- Caption:** AN ACT to amend Tennessee Code Annotated, Title 39 and Title 49, relative to safety precautions taken in response to potential active shooter situations.
- AG Opinion:**
- Cosponsors:**
- Position:**
- Priority:**
- Comment:**
- rows:**  
SB1679 - F. Haile - 01/11/24 - Referred to Senate Education Committee.