



# TFA 2024 Legislation

Bill Status Report Activity the Week of March 18, 2024

**SB168/HB85 CRIMINAL LAW: Free All Cannabis for Tennesseans Act.**



Sen. Campbell, Heidi  
Rep. Freeman, Bob

*Summary:*

Enacts the "Free All Cannabis for Tennesseans Act" or "FACT Act," which establishes a regulatory structure for the cultivation, processing, and retail sale of marijuana and marijuana products in this state to be administered by the department of agriculture. Authorizes an adult to use, possess, and transport not more than 60 grams of marijuana, except that not more than 15 grams of that amount may be in the form of marijuana concentrate. Defines "marijuana concentrate" to mean the cannabinoid-rich oil or extract from marijuana extracted from plant material or the resin created from the plant by physical or chemical means and includes water-based marijuana concentrate, food-based marijuana concentrate, solvent-based marijuana concentrate, and heat- or pressure-derived marijuana concentrate. Authorizes an adult to transfer without remuneration to another adult not more than 60 grams of marijuana, except that not more than 15 grams of that amount may be in the form of marijuana concentrate. Specifies that the transfer must not be advertised or promoted to the public. Authorizes an adult to cultivate for personal use no more than 12 marijuana plants in an area on the premises of the adult's private residence. Allows a person to prohibit or restrict the possession, consumption, cultivation, distribution, manufacture, sale, or display of marijuana or marijuana products on property the person owns, occupies, or manages. Authorizes a county, by resolution of the county legislative body, or an incorporated municipality, by ordinance of its governing body, to levy a local sales tax in a rate not to exceed five percent on the sale of marijuana and marijuana products within such county or municipality. Also imposes a 15 percent tax on each sale of marijuana or a marijuana product by a marijuana dispensary. Requires the department of revenue to allocate the revenue derived from the marijuana tax and specifies allocation (37 pp.).

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:*

(Dated April 10, 2023) Increase State Revenue Net Impact - \$65,256,000/FY24-25/General Fund \$134,742,400/FY25-26/General Fund \$134,782,400/FY26-27/General Fund \$134,955,200/FY27-28 and Subsequent Years/General Fund HB 85 - SB 168 3 \$63,454,600/FY24-25/Department of Agriculture \$126,909,200/FY25-26 and Subsequent Years/ Department of Agriculture \$25,381,800/FY24-25/Department of Safety \$50,763,700/FY25-26 and Subsequent Years/ Department of Safety \$25,381,800/FY24-25/ State Employee Legacy Pension Stabilization Reserve Trust \$50,763,700/FY25-26 and Subsequent Years/ State Employee Legacy Pension Stabilization Reserve Trust \$6,345,500/FY24-25/Department of Education \$12,690,900/FY25-26 and Subsequent Years/ Department of Education \$6,345,500/FY24-25/Department of Revenue \$12,690,900/FY25-26 and Subsequent Years/ Department of Revenue \$600/Each FY24-25 through FY26-27/Department of State \$200/FY27-28 and Subsequent Years/Department of State Increase State Expenditures \$232,300/FY24-25/Department of Revenue \$223,900/FY25-26 and Subsequent Years/ Department of Revenue \$1,713,900/FY24-25/Department of Agriculture \$785,900/FY25-26 and Subsequent Years/ Department of Agriculture Decrease State Expenditures - \$71,100/FY23-24/Incarceration \$143,500/FY24-25/Incarceration \$144,900/FY25-26 and Subsequent Years/Incarceration Increase Local Revenue Net Impact \$65,486,600/FY24-25 \$131,083,400/Each FY25-26 through FY26-27 \$131,166,000/FY27-28 and Subsequent Years Decrease Local Expenditures - \$10,525,800/FY23-24 \$21,051,600/FY24-25 and Subsequent Years HB 85 - SB 168 4 Other Fiscal Impact Decreases in incarceration expenditures will continue through FY32-33. Exact amounts of annual decreases over the next 10 years are included below. Additionally, this legislation could result in reduced expenditures for incarceration at the state and local level, and increased expenditures at the state and local for additional public benefits; however, due to multiple unknown variables, any such impacts cannot be reasonably determined at this time.

*Intro Dates:*

S: 01/20/23, H: 01/11/23

*Senate Status:*

01/21/23 - Referred to Senate Judiciary Committee.

*House Status:*

03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:*

AN ACT to amend Tennessee Code Annotated, Title 4; Title 29; Title 33; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 50; Title 53; Title 63; Title 67; Title 68 and Title 71, relative to cannabis.

*AG Opinion:*

*Cosponsors:*

<p><i>Position:</i></p> <p><i>Priority:</i></p> <p><i>Comment:</i></p>
--

**SB908/HB994 CRIMINAL LAW: Threats of deadly force by private citizens making an arrest.**



Sen. Niceley, Frank  
Rep. Keisling, Kelly

*Summary:* 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* CriminalSubamendments01.16.24.pdf

*Amendments:* CriminalSubAmendmentPacket01.23.24.pdf

CriminalSubAmendmentPacket01.30.24.pdf

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

*Intro Dates:* S: 02/02/23, H: 02/01/23

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:* Rep. Barrett, Jody; Rep. Bricken, Rush; Rep. Capley, Kip; Rep. Carr, Dale; Rep. Chism, Jesse; Rep. Davis, Elaine; Rep. Doggett, Clay; Rep. Eldridge, Rick; Rep. Fritts, Monty; Rep. Grills, Rusty; Rep. Hardaway, G.A.; Rep. Hulse, Bud; Rep. Lynn, Susan; Rep. McCalmon, Jake; Rep. Moody, Debra; Rep. Powers, Dennis; Rep. Ragan, John; Rep. Reedy, Jay; Rep. Richey, Bryan; Rep. Todd, Chris; Rep. Vital, Greg; Rep. Warner, Todd;

*Position:*

*Priority:*

*Comment:*



**SB1657/HB1846 HEALTH CARE: Reporting on firearm injuries and deaths.**



Sen. Campbell, Heidi  
Rep. Clemmons, John

*Summary:* Requires the department of health to make an annual report to the governor on the total number of firearm injuries and deaths in this state per 100,000 people. Requires the attorney general and reporter to assist the department, upon request, in collecting information necessary for the report.

*Amendment Summary:* Senate amendment 1, House Health Subcommittee amendment 1 (014521) requires the department of health to ensure that the information on firearm injuries and deaths reported pursuant to the bill is produced in accordance with applicable state and federal law to maintain the confidentiality of individually identifiable health information.

*Subcommittee Amendments:* Health\_Sub\_Amendments\_03.12.2024.pdf

*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT

*Intro Dates:*

*Senate Status:* 03/21/24 - Senate passed with amendment 1 (014521), which requires the department of health to ensure that the information on firearm injuries and deaths reported pursuant to the bill is produced in accordance with applicable state and federal law to maintain the confidentiality of individually identifiable health information.

*House Status:* 03/20/24 - House Health Committee recommended with amendment 1 (verbal). Sent to House Calendar & Rules.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 39; Title 63 and Title 68, relative to reporting on firearm injuries and deaths.

*AG Opinion:*

*Cosponsors:*

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	

**SB1662/HB1708 GOVERNMENT ORGANIZATION: Charitable organization fees and reporting.**

 Sen. Swann, Art

Rep. McCalmon, Jake

*Summary:* 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.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated January 20, 2024) Decrease State Revenue \$1,734,700/FY24-25/Division of Charitable Solicitations and Gaming

*Intro Dates:* H: 01/09/24

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 03/19/24 - Sent to governor.

*Public Chapter:*

*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:* Rep. Bricken, Rush; Rep. Hawk, David;

*Position:*

*Priority:*

*Comment:*

**SB1669/HB1651 LOTTERY: Application by nonprofit organization to operate a charitable gaming event.**



Sen. Johnson, Jack  
Rep. Whitson, Sam

*Summary:* 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:* House amendment 1 (013744) authorizes nonprofit organizations to submit an annual charitable gaming event application to the Secretary of State(SOS) within five calendar days after this proposed legislation becomes law for events being held from the period beginning July 1, 2023, and ending June 30, 2024, and for events being held in the period beginning July 1, 2024, and ending June 30, 2025. Requires the omnibus listing of any approved organizations for the period beginning July 1, 2023 to June 30, 2024, and for July 1, 2024 to June 30, 2025, to be transferred to the Clerk of the Senate and the Clerk of the House of Representatives within 10 calendar days after this proposed legislation becomes law.

*Subcommittee:* Finance\_Sub\_Amendments\_02.14.2024.pdf

*Amendments:*

*Fiscal Note:* (Dated January 20, 2024) Increase State Revenue \$300/FY23-24/Division of Charitable Solicitations and Gaming

*Intro Dates:* H: 01/09/24

*Senate Status:* 03/14/24 - Senate passed.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 03/14/24 - Sent to the speakers for signatures.

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:* Sen. Crowe, Rusty; Rep. Johnson, Curtis; Rep. Keisling, Kelly; Rep. McCalmon, Jake;

*Position:*

*Priority:*

*Comment:*

**SB1679/HB1644 EDUCATION: Policy for responding to fire alarm activated on school premises outside of a scheduled fire drill.**



Sen. Haile, Ferrell  
Rep. Lamberth, William

*Summary:* 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.

*Amendment Summary:* House amendment 1 (011585) rewrites this bill to, instead, require the following: (1) That each LEA, public charter school, private school, and church-related school develop a procedure for determining the cause of a fire alarm activation, including the potential for an active shooter event. The procedure must (i) be developed in consultation with local fire department and law enforcement officials, (ii) comply with applicable fire and building codes, and (iii) include response procedures for students and school staff, including substitute teachers and other part-time staff and school volunteers, after a determination is made regarding whether the emergency situation involves a fire, an active shooter, or other incident; (2) That each LEA, public charter school, private school, and church-related school annually train all school staff, including substitute teachers and other part-time staff and school volunteers, on the safety procedure; and (3) That each LEA, and to the extent applicable, each public charter school, coordinate with its district-wide school safety team and building-level school safety team to incorporate the procedure in its district-wide school safety plan and building-level school safety plan. Each procedure must be implemented no later than January 1, 2025, and must be annually reviewed and updated, if necessary, to ensure the procedure reflects best practices for the safety of students and school staff, including substitute teachers and other part-time staff and school volunteers.

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated January 12, 2024) NOT SIGNIFICANT

*Intro Dates:* H: 01/09/24

*Senate Status:* 02/28/24 - Signed by Senate speaker.

*House Status:* 02/28/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0563 effective March 12, 2024.

*Public Chapter:* PC563.pdf

*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:* Rep. Alexander, Rebecca; Rep. Behn, Aftyn; Rep. Bricken, Rush; Rep. Carr, Dale; Rep. Carringer, Michele; Rep. Cepicky, Scott; Rep. Cochran, Mark; Rep. Eldridge, Rick; Rep. Gant, Ron; Rep. Garrett, Johnny ; Rep. Hardaway, G.A.; Rep. Hawk, David; Rep. Helton-Haynes, Esther; Rep. Hicks, Gary; Rep. Hicks, Tim; Rep. Howell, Dan; Rep. Hurt, Chris; Rep. Jernigan, Darren; Rep. Kumar, Sabi; Rep. Leatherwood, Tom; Rep. Littleton, Mary; Rep. Love Jr., Harold; Rep. Marsh, Pat; Rep. McCalmon, Jake; Rep. Miller, Larry; Rep. Moody, Debra; Rep. Moon, Jerome; Rep. Powell, Jason; Rep. Powers, Dennis; Rep. Ragan, John; Rep. Raper, Kevin; Rep. Richey, Bryan; Rep. Russell, Lowell; Rep. Sherrell, Paul; Rep. Slater, William; Rep. Stevens, Robert; Rep. Terry, Bryan; Rep. Todd, Chris; Rep. Whitson, Sam ; Rep. Wright, Dave; Rep. Zachary, Jason;

*Position:*  
*Priority:*  
*Comment:*

**SB1686/HB2825 CRIMINAL LAW: County legislative body - passage of resolution regarding carrying of handguns.**

●●○○○○○○○○○○ Sen. Lamar, London  
●●○○○○○○○○○○ Rep. Camper, Karen

*Summary:* Authorizes a county legislative body to elect not to permit persons within the county to lawfully carry a handgun without a handgun carry permit by passage of a resolution. Requires a county that has passed such a resolution to provide notice to persons present within the county by posting notice of the resolution in conspicuous public locations throughout the county.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 4, 2024) Other Fiscal Impact The extent and timing of increases in state revenue and expenditures and local revenue cannot be determined with reasonable certainty.

*Intro Dates:* H: 02/01/24

*Senate Status:* 03/20/24 - Failed in Senate Judiciary Committee.

*House Status:* 03/12/24 - House Civil Justice Subcommittee deferred to 04/02/2024.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:* Oppose  
*Priority:*  
*Comment:* 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/>



**SB1693/HB2824 CRIMINAL LAW: Creation of an office of gun violence prevention.**

●●●●○○○○○○○○ Sen. Akbari, Raumesh

●●○○○○○○○○○○ Rep. Camper, Karen

*Summary:* Creates an office of gun violence prevention within the department of safety with the goal of collecting and analyzing gun violence data in this state to develop and implement strategies to prevent gun violence and mass shootings. Places the office in sunset review in 2027. Broadly captioned.

*Amendment Summary:* Senate Government Operations Committee amendment 1 (017099) establishes an office of gun violence prevention within the department of finance and administration, office of criminal justice programs to be staffed by a director and staff as deemed necessary by the director. Requires the director to develop a plan to collect gun violence data, develop and implement strategies to address various types of gun violence and prevent mass shootings, and seek funding and resources from federal, state, and local governments. Requires the director to submit a report to the governor by January 15 of each year beginning in 2025 that includes from the previous calendar year information of gun violence trends, recommendations for policy initiatives, and a description of the efforts carried out by the director.

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 9, 2024) Increase State Expenditures \$1,071,500/FY24-25 \$951,200/FY25-26 and Subsequent Years

*Intro Dates:* H: 02/01/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4; Title 38; Title 39; Title 47 and Title 68, relative to gun violence.

*AG Opinion:*

*Cosponsors:*

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	Grows government without justification or need. Likely step to future proposed gun control.

**SB1695/HB1667 GOVERNMENT REGULATION: Firearm regulation by local governments.**



Sen. Yarbro, Jeff

Rep. Hemmer, Caleb

*Summary:* Authorizes local governments to regulate the storage of a firearm in a motor vehicle when the motor vehicle is unoccupied. Applies in counties having a population greater than 98,800, according to the 2020 or a subsequent federal census. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 28, 2024) NOT SIGNIFICANT

*Intro Dates:* H: 01/09/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/12/24 - House Civil Justice Subcommittee deferred to 04/02/2024.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, relative to firearm regulation by local governments.

*AG Opinion:*

*Cosponsors:*

*Position:* Oppose

*Priority:*

*Comment:* 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/>



**SB1715/HB1664 EDUCATION: Law enforcement officers assigned as school resource officers.**

●●●○○○○○○○○○○ Sen. Hensley, Joey  
●●●○○○○○○○○○○ Rep. Warner, Todd

*Summary:* Authorizes a law enforcement agency to assign a law enforcement officer to serve as a school resource officer at a school within a local board of education's control that has not entered into a memorandum of understanding with a law enforcement agency to assign a school resource officer to the school. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/11/24, H: 01/09/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/20/24 - House Education Administration Committee recommended. Sent to House Calendar & Rules.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 8; Title 37; Title 38; Title 49 and Title 62, relative to law enforcement at schools.

*AG Opinion:*

*Cosponsors:*

*Position:*  
*Priority:*  
*Comment:*

**SB1729/HB1728 CRIMINAL LAW: Expands the offense of aggravated stalking.**

●●○○○○○○○○○○ Sen. Lamar, London  
●●○○○○○○○○○○ Rep. Hakeem, Yusuf

*Summary:* Expands the offense of aggravated stalking to include persons who purchase a semi-automatic rifle or attempt to use a semi-automatic rifle for the course and furtherance of stalking.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated January 17, 2024) Increase State Expenditures \$24,600 Incarceration Decrease Local Expenditures \$1,900/FY24-25 and Subsequent Years

*Intro Dates:* S: 01/11/24, H: 01/10/24

*Senate Status:* 01/29/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 36 and Title 39, Chapter 17, relative to stalking.

*AG Opinion:*

*Cosponsors:*

*Position:*  
*Priority:*  
*Comment:* Possible caption bill.

**SB1731/HB2288 CRIMINAL LAW: Creation of Class D felony for an offense other than a dangerous felony.**

●●●○○○○○○○○○ Sen. Walley, Page  
●●●○○○○○○○○○ Rep. Hale, Michael

*Summary:* Creates the Class D felony employing a firearm during the commission of, attempt to commit, or flight or escape from an offense other than a dangerous felony. Requires a person convicted of the offense to be sentenced to a mandatory minimum sentence of five years imprisonment. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 22, 2024) Increase State Expenditures \$291,500 Incarceration

*Intro Dates:* S: 01/11/24, H: 01/31/24

*Senate Status:* 03/19/24 - Taken off notice in Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Committee 03/26/24.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:* Possible caption bill.

SB1769/HB1640 **MENTAL HEALTH: Adjudication as a mental defective.**



Sen. Lundberg, Jon

Rep. Lamberth, William

*Summary:* 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. Broadly captioned.

*Amendment Summary:* House Criminal Justice Subcommittee amendment 1 (012019) renames the bill as "Jillian's Law." House Criminal Justice Committee amendment 1 (013322) enacts Jillian's Law. Requires courts wherein commitments to mental institutions are ordered to collect and include information regarding individuals found incompetent to stand trial in reports made to the Federal Bureau of Investigation (FBI)-NICS index and the Department of Safety (DOS). Creates a rebuttable presumption that a person who has been charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial due to an intellectual disability or mental illness meets the commitment criteria for involuntary care and treatment. Establishes that such a person committed to involuntary care and treatment must remain committed until the competency of the person to stand trial is restored or, if competency is unable to be restored, until the court with criminal jurisdiction over the charges approves a mandatory outpatient treatment plan that accounts for the safety of the community. Requires, rather than permits, a court to order a person found incompetent to stand trial for a felony charge and who is found not to be committable to participate in community-based services developed by the Department of Intellectual and Developmental Disabilities (DIDD) or the Department of Mental Health and Substance Abuse Services (DMHSAS) to attain and maintain competence to stand trial and reduce the risk of becoming committable. Includes individuals found incompetent to stand trial by a court in a criminal proceeding in the definition of "adjudication as a mental defective or adjudicated as a mental defective" for the purpose of criminal offenses relating to weapons. Creates the Class A misdemeanor offense of carrying or possessing a firearm after having been adjudicated as a mental defective or judicially committed to a mental institution. Establishes that it is a Class A misdemeanor offense for a person to knowingly purchase or attempt to purchase a firearm if the person has been judicially committed to a mental institution or adjudicated as a mental defective. Establishes that a person may petition the court that entered the judicial commitment or adjudication order for relief from the firearm disabilities imposed by the adjudication or judicial commitment after three years from the later of the date of release from commitment or the date of the adjudication order.

*Subcommittee Amendments:* CriminalSubAmendmentPacket01.30.24.pdf

*Fiscal Note:* (Dated February 6, 2024) Based on additional information provided by the Department of Intellectual and Developmental Disabilities, the fiscal note, issued on February 6, 2024, is being corrected as follows: (CORRECTED) Increase State Expenditures - Net Impact - \$2,117,100/FY24-25 and Subsequent Years HB 1640 - SB 1769 (CORRECTED)Other Fiscal Impact - If the number of new admissions to involuntary commitment under the Department of Intellectual and Developmental Disabilities exceeds the department's current capacity, there will be a significant increase in expenditures for additional staff and supplies to accommodate such increase in services.

*Intro Dates:* S: 01/24/24, H: 01/09/24

*Senate Status:* 03/19/24 - Senate Judiciary Committee recommended with amendment 1 (verbal). Sent to Senate Finance.

*House Status:* 02/14/24 - House Finance Subcommittee placed behind the budget.

*Executive Status:*

*Public Chapter:*

*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. Gillespie, John; Rep. Howell, Dan; Rep. Russell, Lowell; Rep. Sherrell, Paul; Rep. Williams, Ryan;

*Position:* Oppose  
*Priority:*  
*Comment:* This bill was amended by the House Sponsor so that the amendment entirely rewrites the bill. It continues to present a concern that the 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 in particularly with respect to individuals who fall within the scope of the legislation but who are neither convicted of a crime nor are they involuntarily detained in a mental health or other state facility. 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/>

**SB1785/HB2199 CRIMINAL LAW: MaKayla's Law.**

●●○○○○○○○○○○ Sen. Campbell, Heidi  
●●○○○○○○○○○○ Rep. Mitchell, Bo

*Summary:* Expands offense of reckless endangerment to include a person failing to lock, secure, or otherwise store or make unavailable a firearm and ammunition for the firearm as a Class E felony if a child younger than 13 years of age obtains possession of the firearm, discharges the firearm, and the discharge results in bodily injury or serious bodily injury to the child or to another. Specifies where a child is younger than 13 years of age obtains possession of the firearm, discharges the firearm, and the discharge results in the death of the child or another then the offense is a Class C felony.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 28, 2024) Increase State Expenditures \$163,900 Incarceration Decrease Local Expenditures \$9,600/FY24-25 and Subsequent Years

*Intro Dates:* S: 01/24/24, H: 01/29/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 01/31/24 - Referred to House Criminal Justice Subcommittee.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Section 39-13-103, relative to the offense of reckless endangerment.

*AG Opinion:*

*Cosponsors:*

*Position:*  
*Priority:*  
*Comment:*



**SB1789/HB2555 MENTAL HEALTH: Creates the behavioral health crisis intervention services board.**

●●○○○○○○○○○○ Sen. Kyle, Sara

●●○○○○○○○○○○ Rep. Shaw, Johnny

*Summary:* Creates the behavioral health crisis intervention services board to provide oversight and input on the development of an integrated behavioral health crisis care system in this state. Imposes a behavioral health crisis intervention services surcharge on certain telephone services. Creates the behavioral health crisis intervention services fund to receive the surcharge funds. (12pp). Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 4, 2024) Increase State Revenue \$27,524,400/FY24-25/ Behavioral Health Crisis Intervention Services Fund \$65,534,400/FY25-26 and Subsequent Years/ Behavioral Health Crisis Intervention Services Fund Increase State Expenditures \$3,421,000/FY24-25/ Behavioral Health Crisis Intervention Services Fund \$9,839,200/FY26-27 and Subsequent Years/ Behavioral Health Crisis Intervention Services Fund

*Intro Dates:* S: 01/24/24, H: 01/31/24

*Senate Status:* 01/29/24 - Referred to Senate Government Operations Committee.

*House Status:* 03/20/24 - Taken off notice in House Health Subcommittee.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29; Title 7; Title 33; Title 63 and Title 68, relative to 988 Suicide & Crisis Lifeline.

*AG Opinion:*

*Cosponsors:*

*Position:*  
*Priority:*  
*Comment:*

**SB1830/HB1821 CRIMINAL LAW: Enhanced handgun permit or a concealed handgun carry permit to carry a handgun in Shelby County.**

●●○○○○○○○○○○ Sen. Lamar, London  
●●○○○○○○○○○○ Rep. Miller, Larry

*Summary:* Requires a person to obtain an enhanced handgun permit or a concealed handgun carry permit to carry a handgun in Shelby County. Requires the department of safety to create a three-year pilot program in Shelby County that waives the application and processing fee for an enhanced handgun carry permit and a concealed handgun carry permit for applicants residing in those counties.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 11, 2024) Decrease State Revenue \$258,800/FY24-25/Handgun Permit Division \$517,600/FY25-26/Handgun Permit Division \$517,600/FY26-27/Handgun Permit Division \$258,800/FY27-28/Handgun Permit Division Other Fiscal Impact To the extent that the required modifications to the Department of Safety's A-List 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 \$40,000 in FY24-25.

*Intro Dates:* S: 01/24/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 02/13/24 - House Civil Justice Subcommittee deferred to 03/19/2024.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:* Oppose  
*Priority:*  
*Comment:* 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/>

**SB1868/HB1909 CRIMINAL LAW: Self-defense - adult person carrying pepper spray or taser.**

Sen. Hensley, Joey  
Rep. Bulso, Gino

*Summary:* Specifies that it is not a criminal offense for an adult person to carry or possess pepper spray, a taser, mace, stun gun, or another similar device for purposes of self-defense when on property owned, operated, or in use by any college or university board of trustees, regents, or directors for the administration of any public or private educational institution. Prohibits the adoption of a policy by a college, university, or other educational institution prohibiting an adult person from carrying pepper spray, a taser, mace, or another similar device for purposes of self-defense when on property owned, operated, or in use by any college or university board of trustees, regents, or directors for the administration of any public or private educational institution.

*Amendment Summary:* House amendment 1 (013495) rewrites the bill to make changes to law relative to carrying weapons on school property, as described below: This amendment prohibits a public college or university or other public institution of higher education, an adult person, including, but not limited to, a staff member, student, employee, and other adult person lawfully present on the property of the college, university, or institution from carrying a non-lethal weapon for purposes of self-defense when in any building or bus, on the campus, grounds, recreation area, athletic field, or any other property owned, operated, or while in use by any college or university board of trustees, regents, or directors for the administration of any public higher educational institution. This amendment defines a "non-lethal weapon" as pepper spray, a pepper spray gun, pepper gel, mace, a stun gun, an electronic control device, or other conducted energy device. This amendment authorizes a public college or university or other public institution of higher education to prohibit the carrying of non-lethal weapons on the grounds of any pre-K-12 school located on its campus. This amendment authorizes a public college or university or other public institution of higher education to prohibit the carrying of non-lethal weapons in any building where armed security is provided or where such carrying is prohibited by contract. Senate Judiciary Committee amendment 1 (015821) enacts the "Laken Riley Act of 2024." Restricts a public college, university, or other public institution of higher education from prohibiting an adult person, including but not limited to, a staff member, student, employee, and other adult person lawfully present on the institution's property from carrying pepper spray, a pepper spray gun, pepper gel, mace, a stun gun, an electronic control device, or other conducted energy device when in any building, grounds, or bus owned, operated, or in use by the institution or its administration. Authorizes these public institutions to prohibit the carrying of such non-lethal weapons on the grounds of any pre-kindergarten through grade twelve school located on its campus or in any building where armed security is provided or where such carrying is prohibited by contract.

*Subcommittee:* CriminalSubAmendmentPacket02.06.24.pdf  
*Amendments:* CriminalSubAmendmentPacket02.13.24.pdf  
*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT  
*Intro Dates:* S: 01/24/24, H: 01/24/24  
*Senate Status:* 03/19/24 - Senate Judiciary Committee recommended with amendment 1 (015821). Sent to Senate Calendar Committee.  
*House Status:* 03/04/24 - House passed with amendment 1 (013495).  
*Executive Status:*  
*Public Chapter:*  
*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39 and Title 49, relative to self-defense.  
*AG Opinion:*  
*Cosponsors:* Rep. Barrett, Jody;

*Position:* Support  
*Priority:*  
*Comment:*

**SB1869/HB2872 JUDICIARY: Mental health findings - prohibition on purchase or possession of firearm.**

●●○○○○○○○○○○ Sen. Yarbro, Jeff

●●○○○○○○○○○○ Rep. Hemmer, Caleb

*Summary:* Requires clerks of court to collect and report a finding that a person is incompetent to stand trial in a criminal proceeding to the federal bureau of investigation and department of safety. Prohibits the purchase or possession of a firearm by a person who has been adjudicated as a mental defective, including a person who has been found incompetent to stand trial in a criminal proceeding. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/24/24, H: 02/01/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 02/07/24 - Referred to House Civil Justice Subcommittee.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:*  
*Priority:*  
*Comment:*

**SB1880/HB1981 CRIMINAL LAW: Increasing charges for criminal offense involving possessing a firearm and stalking.**

●●○○○○○○○○○○ Sen. Kyle, Sara  
●●○○○○○○○○○○ Rep. Jones, Justin

*Summary:* Increases the charge for a person who commits an offense possessing a firearm and has been convicted of stalking from a class B misdemeanor to a class A misdemeanor.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 5, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/24/24, H: 01/24/24

*Senate Status:* 01/31/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:* Possible caption bill. Even as written, the real purpose or the need of the bill is unclear.

**SB1915/HB1859 PROFESSIONS & LICENSURE: Occupational licensing for individuals with a criminal record.**

●●○○○○○○○○○○ Sen. Niceley, Frank  
●●○○○○○○○○○○ Rep. Davis, Elaine

*Summary:* Prohibits certain licensing authorities from automatically barring an individual from licensure because of the individual's criminal record. Requires the licensing authority to provide individualized consideration of an individual's criminal record and circumstances. Specifies which convictions a licensing authority may consider in deciding for licensure. Makes other changes related to licensure determinations and criminal records including not using a vague term in its consideration and its notice or decision, including good moral character, moral turpitude, or character and fitness. (11pp). Broadly captioned.

*Amendment Summary:* House Business & Utilities Subcommittee amendment 1 (015308) prohibits a licensing authority for licensures of mental health services, alcohol, and drug prevention or treatment services from denying an application for a license, certificate, or registration, or refusing to renew a license, certificate, or registration due to a prior criminal conviction that does not directly related to the applicable occupation, profession, business, or trade. Prohibits the licensing authority from using a vague term in its consideration and its notice or decision under this section, including good moral character or character and fitness, without also providing an explanation of how a prior conviction directly relates to the applicable occupation, profession, business, or trade, if such prior conviction serves as a basis for the licensing authority's consideration and notice or decision. Prohibits a licensing authority for licensures of mental health services, alcohol, and drug prevention or treatment services from denying an application for a license, certificate, or registration, or refusing to renew a license, certificate, or registration due to a prior criminal conviction that does not directly relate to the applicable occupation, profession, business, or trade. Prohibits the licensing authority from using a vague term in its consideration and its notice or decision under this section, including good moral character or character and fitness, without also providing an explanation of how a prior conviction directly relates to the applicable occupation, profession, business, or trade, if such prior conviction serves as a basis for the licensing authority's consideration and notice or decision.

*Subcommittee* Business\_Sub\_Amendments\_03.12.24.pdf

*Amendments:*

*Fiscal Note:* (Dated March 9, 2024) Other Fiscal Impacts Due to multiple unknown variable, the net impact on state license fee revenue cannot be quantified with reasonable certainty.

*Intro Dates:* S: 01/24/24, H: 01/24/24

*Senate Status:* 03/20/24 - Set for Senate Commerce & Labor Committee 03/27/24.

*House Status:* 03/20/24 - Set for House Commerce Committee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 62 and Title 63, relative to occupational licensing.

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

**SB1932/HB2106 CRIMINAL LAW: Criminal history records sealed after completion of sentencing requirements.**

●●○○○○○○○○○○ Sen. Akbari, Raumesh

●●○○○○○○○○○○ Rep. Dixie, Vincent

*Summary:* Allows for a person who was convicted of certain criminal offenses to petition the court in which they were convicted to seal the person's criminal history records after having fulfilled the requirements of the sentence imposed, is not subject to any pending criminal charges, and has not been convicted of a criminal offense for at least five years after the completion of any term or imprisonment, supervised or unsupervised release, or probation. (12pp.)

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 24, 2024) Other Fiscal Impact - The extent and timing of any mandatory increase in local revenue and expenditures cannot reasonably be determined.

*Intro Dates:* S: 01/25/24

*Senate Status:* 01/29/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/19/24 - Taken off notice in House Criminal Justice Subcommittee.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

**SB1933/HB2107 CRIMINAL LAW: Expunction of misdemeanor or felony offense when petitioner is 65 or older.**

●●○○○○○○○○○○ Sen. Akbari, Raumesh  
●●○○○○○○○○○○ Rep. Dixie, Vincent

*Summary:* Allows for a person who was convicted of certain felonies or misdemeanor offenses to petition for expunction of that person’s public records involving a criminal offense if the person is 65 years of age or older, at least 10 years have elapsed since completion of sentence for the offense, and the person has not had any additional arrests, charges, or criminal convictions.

*Amendment*

*Summary:*

*Subcommittee* CriminalSubAmendmentPacket03.12.24.pdf

*Amendments:* CriminalSubAmendmentPacket03.05.24.pdf

CriminalSubAmendmentPacket02.20.24.pdf

CriminalSubAmendmentPacket02.27.24.pdf

*Fiscal Note:* (Dated February 10, 2024) Increase Local Revenue \$107,200/FY24-25 and Subsequent Years

*Intro Dates:* S: 01/25/24

*Senate Status:* 01/29/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/19/24 - Taken off notice in House Criminal Justice Subcommittee.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:* Amend

*Priority:*

*Comment:* This bill proposes to provide expungements for misdemeanor offenses if certain conditions are met including that the petitioner must be at least 65 years old and at least 10 years have passed. While a waiting period may be appropriate for expungements of misdemeanor offenses, it is not clear why the sponsors have made this option only available to those who are 65 or older.



**SB2020/HB1695 CRIMINAL LAW: Autopsy reports of minors who were victims of violent crimes.**



Sen. Reeves, Shane

Rep. Alexander, Rebecca

*Summary:* States that reports of county medical examiners and autopsy reports of victims of violent crime who are minors are not public documents. Authorizes the release of these records if the parent or legal guardian consents to the release. Broadly captioned.

*Amendment Summary:* House amendment 1 (013524) makes the following changes to the bill: (1) Provides that reports of county medical examiners and autopsy reports of minors whose manner of death is listed as a homicide are not public documents; (2) Allows for the report of a county medical examiner or autopsy report of a minor whose death is listed as a homicide to be released if another state or federal law requires such release; and (3) Deletes the definition of a "violent crime."

*Subcommittee Amendments:* Public\_Service\_02.06.24.pdf

*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/29/24, H: 01/09/24

*Senate Status:* 03/21/24 - Set for Senate State & Local Government Committee 03/27/24.

*House Status:* 03/04/24 - House passed with amendment 1 (013524).

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7; Title 38; Title 39 and Title 40, relative to minor victims of violent crime.

*AG Opinion:*

*Cosponsors:* Rep. Hicks, Tim; Rep. Lamberth, William; Rep. McCalmon, Jake;

*Position:*

*Priority:*

*Comment:*

**SB2025/HB1899 EDUCATION: Authorization of retired law enforcement officers to be hired as school resource officers.**

●●○○○○○○○○○○ Sen. Reeves, Shane  
●●●○○○○○○○○○○ Rep. Rudd, Tim

*Summary:* Authorizes LEAs and public charter schools to employ retired law enforcement officers who are retired from a federal, state, or local law enforcement agency and honorably discharged veterans of the United States armed forces to serve as school resource officers on school premises. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 3, 2024) Other Fiscal Impact To the extent that a school chooses to employ a retired law enforcement officer or an honorably discharged veteran as an SRO, there will be a permissive increase in local expenditures of approximately \$73,200 per SRO beginning FY24-25. However, a precise recurring increase in local expenditures cannot be reasonably determined.

*Intro Dates:* S: 01/29/24, H: 01/24/24

*Senate Status:* 01/31/24 - Referred to Senate Education Committee.

*House Status:* 03/20/24 - Set for House Finance, Ways & Means Subcommittee 03/27/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 8; Title 37; Title 38; Title 49 and Title 62, relative to school safety.

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:* Appears to be caption bill. As written, it suggests that other individuals may not be preferable should they desire to serve as school resource officers.

**SB2039/HB2263 ENVIRONMENT & NATURE: Appointees to the fish and wildlife commission.**



Sen. Rose, Paul  
Rep. Darby, Tandy

*Summary:* Requires that appointees to the fish and wildlife commission participate in activities regulated by the commission. Requires the commission and wildlife resource agency to encourage hunting, angling, and trapping as preferred methods of wildlife management and conservation within this state. Broadly captioned.

*Amendment Summary:* House amendment 1 (014171) clarifies that the fish and wildlife commission has exclusive authority over the taking of game and fish, except to the extent such authority involves the regulation of the alteration of aquatic resources or other matters regulated under title 69, part 3.

*Subcommittee:* Departments\_02.21.24.pdf

*Amendments:*

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/29/24, H: 01/31/24

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Sent to governor.

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 70, relative to wildlife.

*AG Opinion:*

*Cosponsors:* Rep. Haston, Kirk;

*Position:*

*Priority:*

*Comment:*

**SB2062/HB1881 CRIMINAL LAW: Penalty for assault against a law enforcement officer.**

●●○○○○○○○○○○ Sen. White, Dawn  
●●○○○○○○○○○○ Rep. Capley, Kip

*Summary:* Establishes a penalty for assault against a law enforcement officer that is a Class E felony and mandates a \$10,000 fine and a minimum of 60 days incarceration. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 21, 2024) Increase State Expenditures \$2,360,600 Incarceration Decrease Local Expenditures \$352,100/FY24-25 and Subsequent Years

*Intro Dates:* S: 01/29/24, H: 01/24/24

*Senate Status:* 02/27/24 - Senate Judiciary Committee deferred to the Final Calendar.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to assault against certain persons.

*AG Opinion:*

*Cosponsors:* Rep. Barrett, Jody; Rep. Garrett, Johnny ; Rep. Lamberth, William; Rep. Leatherwood, Tom; Rep. Littleton, Mary; Rep. McCalmon, Jake; Rep. Sexton, Cameron;

*Position:*  
*Priority:*  
*Comment:*

**SB2123/HB2735 CRIMINAL LAW: Firearms transactions - providing materially false information to dealer or seller.**

●●○○○○○○○○○○ Sen. Campbell, Heidi  
●●○○○○○○○○○○ Rep. Hemmer, Caleb

*Summary:* Creates a Class E felony that is committed when a person provides to a gun dealer or private seller of firearms what the person knows to be materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm. Creates a Class E felony that is committed when a person knowingly obtains a firearm for the purposes of transferring the firearm to another who is prohibited from receiving or possessing a firearm by state or federal law. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/31/24, H: 02/01/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 02/07/24 - Referred to House Criminal Justice Subcommittee.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, relative to firearms transactions.

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

**SB2148/HB2100 BANKING & CREDIT: Provision or denial of services based on an analysis of risk factors unique to customer.**



Sen. Johnson, Jack  
Rep. Zachary, Jason

*Summary:* Requires financial institutions to make determinations about the provision or denial of services based on an analysis of risk factors unique to each current or prospective customer. Prohibits financial institutions from denying or cancelling services to a person based on the person's political affiliations, religious beliefs, firearm ownership, and other factors.

*Amendment Summary:* House amendment 1 (015550) requires financial institutions and insurers to make determinations about the provision or denial of services based on an analysis of risk factors or based on an analysis of sound underwriting and actuarial principles related to actual or reasonably anticipated loss experience unique to each current or prospective customer. Prohibits a financial institution from denying, canceling or discriminating its services to a person on the basis of a list of certain specific factors including, but not limited to political affiliation, social credit score, or any factor that is not a quantitative, impartial, risk-based standard. Prohibits an insurer from refusing to insure, or charging a different rate to a person, solely on the basis of a person's political affiliations or religious affiliations. Authorizes a customer to request from a financial institution a detailed explanation within 90 days of the basis of denial, restriction or termination of service. Requires the financial institution to submit upon receipt of the request the letter within 30 days. Establishes a violation by a financial institution of such as an unfair and deceptive act or practice under the Consumer Protection Act of 1977 and establishes a violation by an insurer is an unfair trade practice under the Unfair Trade Practices and Unfair Claims Settlement Act of 2009. Declares that the provisions of the legislation do not apply to a department, agency, or instrumentality of the United States, or its agent, to the extent of its operations in such capacity.

*Subcommittee* Banking\_Sub\_Amendments\_03.05.24.pdf

*Amendments:*

*Fiscal Note:* (Dated February 9, 2024) Increase State Expenditures \$310,600/FY24-25/Financial Institutions \$307,600/FY25-26 and Subsequent Years/Financial Institutions

*Intro Dates:* S: 01/31/24

*Senate Status:* 03/13/24 - Senate Commerce & Labor Committee recommended with amendment 1 (verbal). Sent to Senate Calendar Committee.

*House Status:* 03/18/24 - House passed with amendment 1 (015550), which makes the following changes: (1) Revises the definition of "financial institution" to mean a state or national bank, a savings and loan association, savings bank, credit union, industrial loan and thrift company, or mortgage lender that has more than \$100,000,000,000 in assets; (2) Clarifies that "services" means a financial product or service offered by a financial institution, but does not include a loan; (3) If a financial institution refuses to provide, restricts, or terminates service to a person, authorizes that person to request a statement of specific reasons for the refusal, restriction, or termination within 90 days after receiving notice of the refusal to provide, restriction of, or termination of service. The person may request the statement from a customer service representative or designated account representative by phone, mail, or electronic mail. Unless otherwise prohibited by federal law, the financial institution must transmit the statement of specific reasons by mail and electronic mail, if known to the financial institution, within 30 days of receiving the person's request. The statement of specific reasons must include (i) a detailed explanation of the basis for the denial, restriction, or termination of service, including a description of any of the person's speech, religious exercise, business activity with a particular industry, or other conduct that was, in whole or in part, the basis of the financial institution's denial, restriction, or termination of service; (ii) a copy of the terms of service agreed to by the person and the financial institution; and (iii) a citation to the specific provisions of the terms of service upon which the financial institution relied to refuse to provide, restrict, or terminate service; (4) Clarifies that the bill does not prohibit a financial institution from declining to provide financial services to a person that is engaged in fraud, criminal conduct, incitement to unlawful actions, or that creates obscenity or another form of expression that is not protected by the Constitution of Tennessee or the United States Constitution; (5) Prohibits an insurer from refusing to insure, or charging a different rate to a person, solely on the basis of (i) the person's political opinions, speech, or affiliations; or (ii) the person's religious beliefs, religious exercise, or religious affiliations, except as provided in the bill.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4; Title 9; Title 45; Title 47 and Title 56, relative to consumer protection.

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

**SB2160/HB2454 CRIMINAL LAW: Anti-Road Rage Act of 2024.**

●●○○○○○○○○○○ Sen. Yarbro, Jeff

●●○○○○○○○○○○ Rep. Whitson, Sam

*Summary:* Enacts the "Anti-Road Rage Act of 2024, " which creates a Class E felony for the reckless discharge of a firearm while operating, or as a passenger in, a motor vehicle. Creates a Class A misdemeanor for the reckless brandishing or display of a firearm while operating, or as a passenger in, a motor vehicle.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:*

*Intro Dates:* S: 01/31/24, H: 01/31/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39 and Title 55, relative to road rage.

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

**SB2166/HB2417 CRIMINAL LAW: Restoration of rights.**

●●●○○○○○○○○○ Sen. Yarbro, Jeff  
●●●○○○○○○○○○ Rep. Dixie, Vincent

*Summary:* Permits a person who was convicted of an infamous crime after July 1, 1986, but before July 1, 1996, to petition a circuit court for restoration of the person's full rights of citizenship in the same manner established for persons convicted on or after July 1, 1996. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 8, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/31/24, H: 01/31/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/20/24 - Set for House Criminal Justice Committee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 2; Title 34 and Title 40, relative to restoration of rights.

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*



**SB2178/HB2908 CRIMINAL LAW: Program for a person to voluntarily waive the right to purchase firearms.**

●●○○○○○○○○○○ Sen. Hensley, Joey  
●●○○○○○○○○○○ Rep. Kumar, Sabi

*Summary:* Enacts the Suicide Prevention Act of 2024 which requires the Tennessee bureau of investigation to establish a program and form for a revocable voluntary waiver of the right to purchase firearms. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 1, 2024) Increase State Expenditures Exceeds \$200,000/FY24-25

*Intro Dates:* S: 01/31/24, H: 02/01/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/05/24 - House Civil Justice Subcommittee deferred to 03/19/2024.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 33 and Title 39, Chapter 17, Part 13, relative to firearms.

*AG Opinion:*

*Cosponsors:* Rep. Faison, Jeremy; Sen. Swann, Art;

*Position:*

*Priority:*

*Comment:*

**SB2180/HB1904 CRIMINAL LAW: Persons authorized to carry a firearm pursuant to an enhanced handgun carry permit or concealed handgun carry permit.**

●●○○○○○○○○○○ Sen. Hensley, Joey  
●●○○○○○○○○○○ Rep. Fritts, Monty

*Summary:* Exempts persons who are authorized to carry a firearm pursuant to an enhanced handgun carry permit or a concealed handgun carry permit from the criminal offense of possessing a firearm in a concealed manner 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 that is properly posted.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 3, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/31/24, H: 01/24/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/05/24 - House Civil Justice Subcommittee deferred to 03/19/2024.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:* Rep. Barrett, Jody;

<i>Position:</i>
<i>Priority:</i>
<i>Comment:</i>

**SB2192/HB2196 CRIMINAL LAW: Offense for a person to possess a large capacity magazine.**

●●○○○○○○○○○○ Sen. Campbell, Heidi  
●●○○○○○○○○○○ Rep. Mitchell, Bo

*Summary:* Creates an offense for a person to possess or manufacture an ammunition feeding device that has capacity to accept more than 10 rounds, unless certain circumstances apply. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 3, 2024) Other Fiscal Impact There will be a recurring mandatory increase in local expenditures related to incarceration in FY24-25 and subsequent years. Due to unknown variables, a precise estimate of this increase cannot be quantified. \* The extent of any impacts on state and local tax revenue cannot be quantified.

*Intro Dates:* S: 01/31/24, H: 01/29/24

*Senate Status:* 02/01/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to large-capacity magazines.

*AG Opinion:*

*Cosponsors:*

*Position:*  
*Priority:*  
*Comment:*

**SB2193/HB2277 CRIMINAL LAW: Prohibits the sale of firearms to persons under 21 years of age.**

●●○○○○○○○○○○ Sen. Campbell, Heidi  
●●○○○○○○○○○○ Rep. Mitchell, Bo

*Summary:* Prohibits the sale of firearms to anyone under 21 years of age and makes the sale of firearms to persons under 21 years of age a Class A misdemeanor. Captioned broadly.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 28, 2024) Decrease State Revenue Net Impact \$339,000/FY24-25 and Subsequent Years Decrease Local Revenue Net Impact \$138,400/FY24-25 and Subsequent Years

*Intro Dates:* S: 01/31/24, H: 01/31/24

*Senate Status:* 02/01/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to firearm sales.

*AG Opinion:*

*Cosponsors:*

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2194/HB2192 CRIMINAL LAW: Transferring of a firearm to a purchaser.**

●●○○○○○○○○○○ Sen. Campbell, Heidi  
●●○○○○○○○○○○ Rep. Mitchell, Bo

*Summary:* Requires a gun dealer to ensure that 14 days have passed since the transaction of a firearm was initiated by the purchaser before transferring the firearm to the purchaser.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 28, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/31/24, H: 01/29/24

*Senate Status:* 02/01/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

SB2223/HB2762 **BANKING & CREDIT: Merchant codes and firearms retailers.**

Sen. Johnson, Jack

Rep. Grills, Rusty

*Summary:* Prohibits a financial institution from requiring the usage of a merchant code that distinguishes a firearms retailer from a general merchandise retailer or a sporting goods retailer and from disclosing a financial record collected in violation of the prohibition. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015720) rewrites the bill to, instead, enact the "Second Amendment Financial Privacy Act," as described below. Except for those records kept during the regular course of a criminal investigation and prosecution, or as otherwise required by law, this amendment prohibits a government entity, or an official, employee, or agent of a government entity, from knowingly keeping or causing to be kept any list, record, or registry of privately-owned firearms or the owners of such firearms. This amendment prohibits a financial institution, including an agent of the financial institution, from (i) requiring or permitting the assignment of a firearms code in a way that distinguishes a firearms retailer from other retailers; or (ii) subject to this amendment, declining a payment card transaction involving a firearms retailer based solely on the assignment of a firearms code. However, this amendment does not prohibit a financial institution from declining or otherwise refusing to process a payment card transaction for any of the following reasons: (i) if necessary to comply with applicable state or federal law; (ii) if requested by the customer; (iii) if necessary due to fraud controls; or (iv) for the purpose of merchant category exclusions offered by a financial institution for the purpose of expenditure control or corporate card control. This amendment does not limit the authority of a financial institution to negotiate with responsible parties or otherwise impair a financial institution's actions related to (i) dispute processing; (ii) fraud risk, credit management, or other controls in the ordinary course of business operations; (iii) protecting against illegal activities, breach, or cyber risks; or (iv) restricting the use or availability of a firearms code in this state. This amendment requires the attorney general to investigate allegations that an individual or entity, including a government entity, has violated this amendment and, upon finding a violation, provide written notice to the individual or entity believed to have committed the violation. The individual or entity must cease the violation within 30 days after receiving such notice. If an individual or entity does not cease the violation within 30 days after receiving notice, then this amendment requires the attorney general to file an action against that individual or entity to seek an injunction in a court of competent jurisdiction. If the court finds that the individual or entity violated this amendment and has not ceased the activity constituting the violation, the court must enjoin the individual or entity from continuing such activity and may award any other relief that the court deems appropriate. If an individual or entity knowingly fails to comply with an after 30 days of being served with the injunction, then the attorney general, upon petition to the court, must seek to impose on that individual or entity a civil fine in an amount not to exceed \$10,000 for each violation committed after the expiration of the thirty-day period. In assessing such fine, the court must consider as factors the financial resources of the violator, the harm or risk of harm to the rights under the Second Amendment to the United States Constitution and the Constitution of Tennessee resulting from the violation. This amendment requires an order assessing a civil fine to be stayed pending appeal of the order. This amendment provides that the remedies set forth in this amendment are the exclusive remedies for any violation of this amendment. This amendment provides that it is a defense to a proceeding initiated pursuant to this amendment that a firearms code was required to be disclosed or assigned by law. This amendment authorizes a firearms retailer physically located in this state whose business was the subject of an alleged violation or a customer who transacted at a firearms retailer physically located in this state whose business was the subject of an alleged violation to petition the attorney general to investigate an alleged violation. If the attorney general declines to investigate, then the firearms retailer or customer may pursue an injunction in the chancery court of the judicial district where the alleged violation occurred. If that court finds that an individual or entity is responsible for a violation, then the court must enjoin such individual or entity from continuing the activity found to be in violation of this amendment. House Commerce Committee amendment 1 (015729) prohibits a government entity, or an official, employee, or agent of a government entity, from knowingly keeping or causing to be kept any list, record, or registry of privately-owned firearms or the owners of such firearms. Prohibits a financial institution or its agents from: (1) requiring or permitting the assignment of a firearms code in a way that distinguishes a firearms retailer from other retailers; or (2) declining a payment card transaction involving a firearms retailer based solely on the assignment of a firearms code. Provides exceptions. Requires the Attorney General and Reporter (AG) to investigate alleged violations and, upon finding a violation, provide written notice to any individual or entity believed to be in violation. Authorizes the court to impose a civil penalty up to \$10,000 per violation. Authorizes a firearms retailer physically located in this state whose business was the subject of a violation or a customer who transacted business at such firearms retailer to petition the AG to investigate an alleged violation. Authorizes the firearms retailer or customer to pursue an injunction in the chancery court of the judicial district where the alleged violation occurred if the AG declines to investigate. Authorizes the court to enjoin the aforementioned individual or entity from continuing the conduct found to be in violation if that court finds that an individual or entity is responsible for a violation.

*Subcommittee**Amendments:**Fiscal Note:* (Dated February 12, 2024) NOT SIGNIFICANT*Intro Dates:* S: 01/31/24, H: 02/01/24

*Senate Status:* 03/21/24 - Senate passed with amendment 1 (015720), which rewrites the bill to, instead, enact the "Second Amendment Financial Privacy Act," as described below. Except for those records kept during the regular course of a criminal investigation and prosecution, or as otherwise required by law, this amendment prohibits a government entity, or an official, employee, or agent of a government entity, from knowingly keeping or causing to be kept any list, record, or registry of privately-owned firearms or the owners of such firearms. This amendment prohibits a financial institution, including an agent of the financial institution, from (i) requiring or permitting the assignment of a firearms code in a way that distinguishes a firearms retailer from other retailers; or (ii) subject to this amendment, declining a payment card transaction involving a firearms retailer based solely on the assignment of a firearms code. However, this amendment does not prohibit a financial institution from declining or otherwise refusing to process a payment card transaction for any of the following reasons: (i) if necessary to comply with applicable state or federal law; (ii) if requested by the customer; (iii) if necessary due to fraud controls; or (iv) for the purpose of merchant category exclusions offered by a financial institution for the purpose of expenditure control or corporate card control. This amendment does not limit the authority of a financial institution to negotiate with responsible parties or otherwise impair a financial institution's actions related to (i) dispute processing; (ii) fraud risk, credit management, or other controls in the ordinary course of business operations; (iii) protecting against illegal activities, breach, or cyber risks; or (iv) restricting the use or availability of a firearms code in this state. This amendment requires the attorney general to investigate allegations that an individual or entity, including a government entity, has violated this amendment and, upon finding a violation, provide written notice to the individual or entity believed to have committed the violation. The individual or entity must cease the violation within 30 days after receiving such notice. If an individual or entity does not cease the violation within 30 days after receiving notice, then this amendment requires the attorney general to file an action against that individual or entity to seek an injunction in a court of competent jurisdiction. If the court finds that the individual or entity violated this amendment and has not ceased the activity constituting the violation, the court must enjoin the individual or entity from continuing such activity and may award any other relief that the court deems appropriate. If an individual or entity knowingly fails to comply with an after 30 days of being served with the injunction, then the attorney general, upon petition to the court, must seek to impose on that individual or entity a civil fine in an amount not to exceed \$10,000 for each violation committed after the expiration of the thirty-day period. In assessing such fine, the court must consider as factors the financial resources of the violator, the harm or risk of harm to the rights under the Second Amendment to the United States Constitution and the Constitution of Tennessee resulting from the violation. This amendment requires an order assessing a civil fine to be stayed pending appeal of the order. This amendment provides that the remedies set forth in this amendment are the exclusive remedies for any violation of this amendment. This amendment provides that it is a defense to a proceeding initiated pursuant to this amendment that a firearms code was required to be disclosed or assigned by law. This amendment authorizes a firearms retailer physically located in this state whose business was the subject of an alleged violation or a customer who transacted at a firearms retailer physically located in this state whose business was the subject of an alleged violation to petition the attorney general to investigate an alleged violation. If the attorney general declines to investigate, then the firearms retailer or customer may pursue an injunction in the chancery court of the judicial district where the alleged violation occurred. If that court finds that an individual or entity is responsible for a violation, then the court must enjoin such individual or entity from continuing the activity found to be in violation of this amendment.

*House Status:* 03/19/24 - House Commerce Committee recommended with amendment 1 (015729). Sent to House Calendar & Rules.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 6; Title 29; Title 38; Title 39; Title 45 and Title 47, relative to merchant codes.

*AG Opinion:*

*Cosponsors:* Rep. Barrett, Jody; Rep. Boyd, Clark; Rep. Bricken, Rush; Rep. Bulso, Gino; Rep. Capley, Kip; Rep. Cochran, Mark; Rep. Davis, Elaine; Rep. Doggett, Clay; Rep. Faison, Jeremy; Rep. Fritts, Monty; Rep. Hale, Michael; Rep. Hulse, Bud; Rep. Hurt, Chris; Rep. Lamberth, William; Rep. Leatherwood, Tom; Rep. Lynn, Susan; Rep. Martin, Greg; Rep. Martin, Brock; Rep. Moody, Debra; Rep. Powers, Dennis; Rep. Reedy, Jay; Rep. Richey, Bryan; Rep. Todd, Chris; Rep. Vital, Greg; Rep. Williams, Ryan; Rep. Zachary, Jason;

<p><i>Position:</i></p> <p><i>Priority:</i></p> <p><i>Comment:</i></p>
--

**SB2233/HB2958 CRIMINAL LAW: Storage of firearms.**

●●○○○○○○○○○○ Sen. Campbell, Heidi  
●●○○○○○○○○○○ Rep. Hardaway, G.A.

*Summary:* Creates a Class A misdemeanor under which is an offense for a person to store or keep a firearm on the premises of a residence under the control of the person if the person knows, or reasonably should know, that a minor is likely to gain access to the firearm without the permission of the parent or guardian of the minor or a resident of the residence is ineligible to possess a firearm under federal or state law.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 9, 2024) Increase State Expenditures \$118,800 Incarceration

*Intro Dates:* S: 01/31/24, H: 02/01/24

*Senate Status:* 02/01/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, relative to firearm storage.

*AG Opinion:*

*Cosponsors:*

*Position:*  
*Priority:*  
*Comment:*



**SB2287/HB2350 CRIMINAL LAW: Prohibits permitting a child to have access to a firearm without supervision.**

●●○○○○○○○○○○ Sen. Oliver, Charlane  
●●○○○○○○○○○○ Rep. Johnson, Gloria

*Summary:* Creates the Class A misdemeanor of knowingly or recklessly permitting a child under 12 years of age to have access to or possession, custody, or use of a firearm unless the person has the permission of the child's parent or guardian, the child is under the supervision of an adult, and the firearm was used for lawful sporting activity.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 24, 2024) Increase State Expenditures \$23,800 Incarceration Decrease Local Expenditures \$1,800/FY24-25 and Subsequent Years HB 2350 - SB 2287

*Intro Dates:* S: 01/31/24, H: 01/31/24

*Senate Status:* 02/01/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 2 03/26/24.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2288/HB2352 CRIMINAL LAW: Requires owner of a firearm to reports its theft within 48 hours.**

●●○○○○○○○○○○ Sen. Oliver, Charlane  
●●○○○○○○○○○○ Rep. Johnson, Gloria

*Summary:* Requires a person who owns a firearm shall report the loss or theft of the firearm to a law enforcement agency within forty-eight hours of the discovery of the loss or theft. Not reporting the theft is punishable only by a civil penalty, not to exceed five hundred dollars.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/31/24, H: 01/31/24

*Senate Status:* 02/01/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/19/24 - Failed in House Criminal Justice Subcommittee.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:* Oppose

*Priority:*

*Comment:* This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2342/HB2538 CRIMINAL LAW: Creation of a criminal offense for threatening to commit an act of mass violence.**



Sen. Haile, Ferrell  
Rep. Cochran, Mark

*Summary:* Creates the criminal offense of recklessly, by any means of communication, threatening to commit an act of mass violence and the threat causes a reasonable expectation or reasonable fear of the commission of an act of mass violence.

*Amendment Summary:* Senate Judiciary Committee amendment 1 (014483) creates a Class E felony offense for recklessly, by any means of communication, threatening to commit an act of mass violence and the threat causes a reasonable expectation or reasonable fear of the commission of an act of mass violence. The classification is enhanced to a Class D felony if: (1) the violation involves threatening to commit an act of mass violence on the property of a school, a house of worship, or a federal, state, or local government, or at a live performance or event; (2) the defendant has one or more prior convictions for such offense or a Class A misdemeanor threat of mass violence on a school property; or (3) the defendant has taken a substantial step towards carrying out an act of mass violence. Requires the court to make every effort to determine whether the defendant is a threat to the public using all available resources, prior to making a bail determination. Authorizes the court to consider evidence or testimony from law enforcement officers, the District Attorney General, a psychologist with forensic experience or training, the Department of Safety, or any other appropriate person in making such a determination. Requires, as a condition of bail or other pretrial release, a court to order a defendant charged with threatening to commit an act of mass violence to undergo a mental health assessment to determine if emergency involuntary admission to a treatment facility is needed. Authorizes a court to also order a defendant to undergo a mental health evaluation to determine whether the defendant is competent to stand trial or the defendant's mental capacity at the time of the commission of the offense. Authorizes a sentencing court to order a person convicted of threatening to commit an act of mass violence to pay restitution. Prohibits a defendant charged with threatening an act of mass violence from being released on bail unless authorized by a judge. House Criminal Justice Committee amendment 1 (015760) creates a Class E felony offense for knowingly, by any means of communication, threatening to commit an act of mass violence and the threat causes a reasonable expectation or reasonable fear of the commission of an act of mass violence. The classification is enhanced to a Class D felony if: (1) the violation involves threatening to commit an act of mass violence on the property of a school, a house of worship, or a federal, state, or local government, or at a live performance or event; (2) the defendant has one or more prior convictions for such offense or a Class A misdemeanor threat of mass violence on a school property; or (3) the defendant has taken a substantial step towards carrying out an act of mass violence. Requires the court to make every effort to determine whether the defendant is a threat to the public using all available resources, prior to making a bail determination. Authorizes the court to consider evidence or testimony from law enforcement officers, the District Attorney General, a psychologist with forensic experience or training, the Department of Safety, or any other appropriate person in making such a determination. Requires, as a condition of bail or other pretrial release, a court to order a defendant charged with threatening to commit an act of mass violence to undergo a mental health assessment to determine if emergency involuntary admission to a treatment facility is needed. Authorizes a court to also order a defendant to undergo a mental health evaluation to determine whether the defendant is competent to stand trial or the defendant's mental capacity at the time of the commission of the offense. Authorizes a sentencing court to order a person convicted of threatening to commit an act of mass violence to pay restitution. Prohibits a defendant charged with threatening an act of mass violence from being released on bail unless authorized by a judge.

*Subcommittee Amendments:* CriminalSubAmendmentPacket03.12.24.pdf

*Fiscal Note:* (Dated February 25, 2024) Increase State Expenditures \$859,000 Incarceration \$6,305,100/FY24-25/General Fund \$2,101,300/FY25-26 and Subsequent Years/ General Fund SB 2342 - HB 2538

*Intro Dates:* S: 01/31/24, H: 01/31/24

*Senate Status:* 02/27/24 - Senate Judiciary Committee recommended with amendment (014483). Sent to Senate Finance.

*House Status:* 03/20/24 - Set for House Finance, Ways & Means Subcommittee 03/27/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 3 and Title 40, Chapter 11, relative to mass violence.

*AG Opinion:*

*Cosponsors:* Sen. Hensley, Joey; Sen. McNally, Randy;

*Position:*  
*Priority:*  
*Comment:*

**SB2438/HB2505 CRIMINAL LAW: Requirement to maintain ammunition in an area inaccessible to customers.**

●●○○○○○○○○○○ Sen. Akbari, Raumesh  
●●○○○○○○○○○○ Rep. Harris, Torrey

*Summary:* Requires retailers and sellers of firearm ammunition to maintain ammunition in an area inaccessible to a customer in a retail establishment. Classifies a violation as a Class A misdemeanor. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/31/24, H: 01/31/24

*Senate Status:* 03/05/24 - Senate Judiciary Committee deferred to 03/19/24.

*House Status:* 03/19/24 - Failed in House Criminal Justice Subcommittee.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to firearm ammunition.

*AG Opinion:*

*Cosponsors:*

*Position:* Oppose

*Priority:*

*Comment:* This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2449/HB2329 CRIMINAL LAW: Offense of carrying a firearm with the intent to go armed.**

●●○○○○○○○○○○ Sen. Akbari, Raumesh  
●●○○○○○○○○○○ Rep. Pearson, Justin

*Summary:* Deletes an exception to the offense of carrying a firearm with the intent to go armed for persons carrying, whether openly or concealed, a handgun if the person lawfully possesses the handgun, is in a place where the person is lawfully present, and the person meets certain age requirements.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 18, 2024) Increase State Revenue \$7,451,300/FY24-25 and Subsequent Years/Handgun Permit Division \$2,280,400/FY24-25 and Subsequent Years/Tennessee Bureau of Investigation Increase State Expenditures \$3,152,800/FY24-25 and Subsequent Years/Handgun Permit Division \$1,045,100/FY24-25 and Subsequent Years/Tennessee Bureau of Investigation Increase Local Revenue \$685,600/FY24-25 and Subsequent Years

*Intro Dates:* S: 01/31/24, H: 01/31/24

*Senate Status:* 03/05/24 - Senate Judiciary Committee deferred to 03/19/24.

*House Status:* 03/19/24 - Failed in House Criminal Justice Subcommittee.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2453/HB2333 CRIMINAL LAW: Possession or manufacture of a switch or auto sear device made to convert a weapon to shoot automatically more than one shot.**

Sen. Akbari, Raumesh  
Rep. Pearson, Justin

*Summary:* Prohibits the possession, manufacture, transport, repair, or sale of a switch or auto sear device designed, made, or adapted to convert a weapon to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, and a firearm built from a weapon parts kit, including a frame or receiver parts kit, and not marked with a serial number, unless certain exceptions apply. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 19, 2024) Increase State Expenditures \$4,200 Incarceration Other Fiscal Impact The extent of any impacts on state and local tax revenue cannot be quantified with reasonable certainty.

*Intro Dates:* S: 01/31/24, H: 01/31/24

*Senate Status:* 03/05/24 - Senate Judiciary Committee deferred to 03/19/24.

*House Status:* 03/19/24 - House Criminal Justice Subcommittee deferred to summer study.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:* Oppose

*Priority:*

*Comment:* This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2456/HB2336 CRIMINAL LAW: Manufacture or distribution of an 80% frame or 80% receiver.**

●●○○○○○○○○○○ Sen. Akbari, Raumesh  
●●○○○○○○○○○○ Rep. Pearson, Justin

*Summary:* Prohibits the manufacture, distribution, sale, or transfer of an 80% frame or 80% receiver on or after July 1, 2024, without a manufacturer's serial number prominently stamped on the item or on a piece of metal securely affixed to the item. Creates the Class A misdemeanor of manufacturing, distributing, selling, or transferring an 80% frame or 80% receiver without a serial number prominently stamped on the item or a piece of metal securely affixed thereto, which is punishable by a \$5,000 fine. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 17, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/31/24, H: 01/31/24

*Senate Status:* 03/05/24 - Senate Judiciary Committee deferred to 03/19/24.

*House Status:* 03/19/24 - Failed in House Criminal Justice Subcommittee.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4; Title 38 and Title 39, relative to firearms.

*AG Opinion:*

*Cosponsors:*

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2477/HB2695 CRIMINAL LAW: Authorizes an attorney to carry a handgun in specific circumstances.**

●●○○○○○○○○○○ Sen. Hensley, Joey  
●●○○○○○○○○○○ Rep. Doggett, Clay

*Summary:* Authorizes an attorney to carry a handgun in a building and room in which judicial proceedings are in progress if the attorney is present in furtherance of the attorney’s representation of a party with business before the court, is an enhanced handgun carry permit holder, and keeps the handgun concealed at all times. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 1, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/31/24, H: 02/01/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/05/24 - House Civil Justice Subcommittee deferred to 03/19/2024.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, relative to judicial proceedings.

*AG Opinion:*

*Cosponsors:*

<i>Position:</i>
<i>Priority:</i>
<i>Comment:</i>



**SB2488/HB2837 CRIMINAL LAW: Offense of reckless endangerment involving the display of a firearm - revocation of driver license.**

Sen. Kyle, Sara  
Rep. Towns Jr., Joe

*Summary:* Requires a court to order the revocation of a person's driver license if the person is convicted of the offense of reckless endangerment involving the display of a firearm from within a motor vehicle and the person has a prior conviction for the same offense. Requires a court to order the seizure and forfeiture of a person's motor vehicle used in the commission of the offense if the person is convicted of the offense of reckless endangerment involving the display of a firearm from within a motor vehicle and the person has two or more prior convictions for the same offense. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 9, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 01/31/24, H: 02/01/24

*Senate Status:* 02/01/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39; Title 40, Chapter 33 and Title 55, relative to reckless endangerment.

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

**SB2516/HB2689 STATE GOVERNMENT: Civil action against person or entity that infringes upon a person's right to bear arms.**

●●○○○○○○○○○○ Sen. Niceley, Frank  
●●○○○○○○○○○○ Rep. Doggett, Clay

*Summary:* Creates a civil action against any person or government entity that infringes upon a person's right to bear arms under the Tennessee or United States Constitutions. Requires the person or entity to be liable for actual or statutory damages, punitive damages, attorney's fees, and court costs.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 18, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 02/01/24, H: 02/01/24

*Senate Status:* 03/20/24 - Failed in Senate Judiciary Committee.

*House Status:* 02/20/24 - House Civil Justice Subcommittee deferred to 03/19/2024.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 54, relative to the Tennessee Firearms Freedom Act.

*AG Opinion:*

*Cosponsors:* Sen. Bailey, Paul; Sen. Bowling, Janice; Rep. Capley, Kip;

<i>Position:</i> Support
<i>Priority:</i>
<i>Comment:</i>

**SB2555/HB2606 CRIMINAL LAW: Emergency orders of protection.**

●●○○○○○○○○○○ Sen. Lamar, London  
●●○○○○○○○○○○ Rep. Johnson, Gloria

*Summary:* Allows a court to issue an emergency protection order upon a finding that a person poses an imminent risk of harm to the person or others if allowed to purchase or possess a firearm. Authorizes a family member, household member, intimate partner, or law enforcement officer to petition for an emergency protection order. Specifies that a person filing a petition for an emergency protection order shall not be required to bear the costs, including any court costs, filing fees, litigation taxes, or any other costs associated with the emergency protection order whether issued inside or outside the state.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 3, 2024) Increase Local Expenditures Exceeds \$4,400/FY24-25 and Subsequent Years HB 2606 - SB 2555

*Intro Dates:* S: 02/01/24, H: 02/01/24

*Senate Status:* 02/05/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 36 and Title 39, relative to emergency protection orders.

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

**SB2569/HB2126 CRIMINAL LAW: Child to be tried as an adult who commits offense of organized retail crime or theft of a firearm.**

●●●●●●●●●● Sen. Taylor, Brent  
●●●●●●●●●● Rep. Grills, Rusty

*Summary:* Allows a juvenile court to transfer a child 15 years of age or older to be tried as an adult in criminal court for the offense of organized retail crime, theft of a firearm, or an attempt to commit such offense. Broadly captioned.

*Amendment Summary:* House amendment 1 (014134) adds to the bill by revising present law that provides that when a child transferred from juvenile court is detained, the juvenile court may, in its discretion, order confinement in a local juvenile detention facility, or a juvenile detention facility with which it contracts or an adult detention facility separate and removed from adult detainees. This amendment revises the present law by, instead, requiring that when a child transferred from juvenile court is detained, the juvenile court must order confinement in a local juvenile detention facility or a juvenile detention facility with which it contracts, except that the juvenile court may order confinement in an adult detention facility separate and removed from adult detainees if the sheriff affirms to the court that the adult detention facility has the ability to comply with the requirements of existing law, and that the population of the adult detention facility does not exceed the capacity of the facility.

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 9, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 02/01/24

*Senate Status:* 03/18/24 - Senate passed.

*House Status:* 03/04/24 - House passed with amendment 1 (014134).

*Executive Status:* 03/18/24 - Sent to the speakers for signatures.

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 37 and Title 39, relative to acts committed by juveniles.

*AG Opinion:*

*Cosponsors:* Rep. Capley, Kip; Rep. Cochran, Mark; Rep. Davis, Elaine; Rep. Hill, Timothy; Rep. Keisling, Kelly; Rep. Lamberth, William; Rep. Littleton, Mary; Rep. Moody, Debra; Rep. Todd, Chris;

<i>Position:</i>
<i>Priority:</i>
<i>Comment:</i>

**SB2574/HB1720 CRIMINAL LAW: Theft of a firearm valued at less than \$60,000.**

●●○○○○○○○○○○ Sen. Taylor, Brent  
●●○○○○○○○○○○ Rep. Gillespie, John

*Summary:* Increases from Class E and Class D to a Class C felony the classification of theft of a firearm valued at less than \$60,000 and related offenses. Specifies that it is a Class C felony to receive, possess, store, barter, sell, transfer, or dispose of a stolen firearm or firearm ammunition. Clarifies that it is not an offense for a law enforcement officer or law enforcement agency to confiscate and dispose of a stolen firearm or firearm ammunition.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated January 17, 2024) Increase State Expenditures \$2,780,800 Incarceration

*Intro Dates:* S: 02/01/24, H: 01/10/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:* Sen. Rose, Paul;

*Position:* Oppose  
*Priority:*  
*Comment:* 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/>

**SB2626/HB2702 CRIMINAL LAW: Offenses involving theft or use of a firearm - child transferred to sheriff of the county.**

●●○○○○○○○○○○ Sen. Jackson, Ed  
●●○○○○○○○○○○ Rep. Littleton, Mary

*Summary:* Requires the juvenile court to transfer a child to the sheriff of the county to be held according to law and dealt with as an adult in the criminal court if the child is charged with an offense involving theft of a firearm or a felony offense involving the use of a firearm and the child was 14 or older at the time of the alleged conduct. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee* CriminalSubAmendmentPacket03.12.24.pdf

*Amendments:*

*Fiscal Note:* (Dated March 10, 2024) Increase State Expenditures \$2,268,700 Incarceration Decrease State Expenditures \$7,489,800/FY24-25 and Subsequent Years Decrease Federal Expenditures \$832,200/FY24-25 and Subsequent Years

*Intro Dates:* S: 02/01/24, H: 02/01/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 37, relative to certain offenses committed by juveniles.

*AG Opinion:*

*Cosponsors:* Rep. Capley, Kip; Rep. Grills, Rusty; Rep. Rudder, Iris;

*Position:*

*Priority:*

*Comment:*



**SB2736/HB2812 CRIMINAL LAW: Right to a justifiable use of force hearing prior to trial.**

●●○○○○○○○○○○ Sen. Niceley, Frank  
●●○○○○○○○○○○ Rep. Hulsey, Bud

*Summary:* Grants a defendant who has been charged with a criminal offense based on the use of force or threatened use of force and who asserts that the force was justified by law the right to a justifiable use of force hearing prior to trial, at which the prosecution has the burden to prove by clear and convincing evidence that the use of force was unlawful. Requires the court to dismiss the criminal charges and find the defendant immune from criminal prosecution if the prosecution fails to meet that burden. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 16, 2024) Other Fiscal Impact Passage of the proposed legislation may result in a mandatory increase in local expenditures and a decrease in local and state incarceration expenditures; however, the precise timing and impact is dependent on multiple unknown factors and cannot be determined with reasonable certainty. \*

*Intro Dates:* S: 02/01/24, H: 02/01/24

*Senate Status:* 02/05/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, relative to use of force.

*AG Opinion:*

*Cosponsors:* Sen. Pody, Mark;

<i>Position:</i> <i>Priority:</i> <i>Comment:</i>
---



**SB2770/HB1872 CRIMINAL LAW: Enhancement of criminal penalties upon conviction of violent crimes by illegal aliens.**

●●○○○○○○○○○○ Sen. Bowling, Janice  
●●○○○○○○○○○○ Rep. Fritts, Monty

*Summary:* Allows for a court to enhance the statutory penalty up to imprisonment for life without the possibility of parole when an illegal alien commits a violent crime, an illegal alien is using or displaying a deadly weapon when convicted, or there is a conviction for a violent crime which occurred on the property of a school. Also requires that any arrest and conviction that the enhancement factors would apply to is reported to the Tennessee bureau of investigation’s human trafficking advisory council. Broadly captioned.

*Amendment Summary:* House Criminal Justice Committee amendment 1 (016123) authorizes a court to enhance the statutory penalty up to imprisonment for life without the possibility of parole for a conviction under the following circumstances: (1) the conviction is for the commission of a violent crime that is a felony offense and the defendant was an illegal alien at the time the offense was committed; (2) the conviction involves the use or display of a deadly weapon and the defendant was an illegal alien at the time the offense was committed; or (3) the conviction is for the commission of a violent crime that was a felony offense, committed by an adult and the offense occurred on the property of a school while students or other children were present. Specifies that a judge may consider whether a defendant is lawfully present in the state when making a determination as to: (1) whether or not a defendant should be released on bail; and (2) the amount of bail necessary to reasonably assure the appearance of the defendant while at the same time protecting the safety of the public. Requires an arrest and subsequent conviction to which certain enhancement factors apply to be reported to the Department of Safety (DOS).

*Subcommittee* CriminalSubAmendmentPacket03.12.24.pdf

*Amendments:* CriminalSubAmendmentPacket03.05.24.pdf

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Intro Dates:* H: 01/24/24

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/20/24 - Set for House Finance, Ways & Means Subcommittee 03/27/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 16; Title 33; Title 39; Title 40 and Title 49, relative to criminal offenses.

*AG Opinion:*

*Cosponsors:*

*Position:*  
*Priority:*  
*Comment:*

**SB2825/HB2854 TAXES SALES: Exemption - retail sale of firearms that have a barrel less than an internal diameter of .50 caliber.**

●●○○○○○○○○○○ Sen. Crowe, Rusty  
●●○○○○○○○○○○ Rep. Hill, Timothy

*Summary:* Exempts the retail sale of firearms that have a barrel less than an internal diameter of .50 caliber and shotguns of 10 gauge or greater from the sales and use tax.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 15, 2024) Decrease State Revenue Net Impact Exceeds \$6,919,000/FY24-25 and Subsequent Years Decrease Local Revenue Net Impact Exceeds \$2,823,500/FY24-25 and Subsequent Years

*Intro Dates:* H: 02/01/24

*Senate Status:* 03/19/24 - Taken off notice in Senate Finance Revenue Subcommittee.

*House Status:* 02/07/24 - Referred to House Finance, Ways & Means Committee.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 6, Part 3, relative to firearms.

*AG Opinion:*

*Cosponsors:*

*Position:*  
*Priority:*  
*Comment:*

**SB2871/HB1954 CRIMINAL LAW: Increases penalty for illegally transferring a firearm to a minor.**

Sen. Akbari, Raumesh  
Rep. Parkinson, Antonio

*Summary:* Increases the penalty for illegally transferring a firearm to a minor from a Class A misdemeanor to a Class D felony and requires that an adult who is convicted be punished as criminally responsible for any resulting crime. Creates the Class D felony offense of inducing or coercing a minor to commit theft of a firearm, robbery, burglary, or aggravated burglary involving theft of a firearm.

*Amendment Summary:* House Criminal Justice Committee amendment 1 (013908) creates a Class D felony offense for knowingly inducing or coercing a minor to commit one of the following offenses: (1) theft of a firearm; (2) robbery involving theft of a firearm; (3) aggravated robbery involving theft of a firearm; (4) especially aggravated robbery involving theft of a firearm; (5) burglary involving theft of a firearm; (6) aggravated burglary involving theft of a firearm; or (7) especially aggravated burglary involving theft of a firearm. Enhances the penalty, from a Class A misdemeanor to a Class D felony, for a person who commits the offense of intentionally, knowingly, or recklessly selling, loaning or making a gift of a firearm to a minor. Effective October 1, 2024.

*Subcommittee Amendments:* CriminalSubAmendmentPacket03.05.24.pdf

CriminalSubAmendmentPacket02.20.24.pdf

CriminalSubAmendmentPacket02.27.24.pdf

*Fiscal Note:* (Dated February 8, 2024) Increase State Expenditures \$1,613,600 Incarceration Decrease Local Expenditures \$100/FY24-25 and Subsequent Years Other Fiscal Impact There will be additional increases in state expenditures related to an increase in admissions for adults who are criminally responsible for offenses minors commit with unlawfully sold, loaned, or gifted firearms. The extent and timing of any such impacts cannot be reasonably determined.

*Intro Dates:* S: 02/01/24, H: 01/24/24

*Senate Status:* 02/05/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - House Finance Subcommittee placed behind the budget.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, relative to firearms offenses involving minors.

*AG Opinion:*

*Cosponsors:*

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2887/HB2963 CRIMINAL LAW: Prohibits the possession, manufacture, transport, repair, or sale of a switch or auto sear device.**

●●○○○○○○○○○○ Sen. Kyle, Sara  
●●○○○○○○○○○○ Rep. Hardaway, G.A.

*Summary:* Introduces a Class E felony for intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a switch or auto sear device that is designed, made or intended for use in converting a weapon to shoot automatically more than one shot by a single function trigger without manual reloading.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 7, 2024) Increase State Expenditures \$4,200 Incarceration Other Fiscal Impact The extent of any impacts on state and local tax revenue cannot be quantified with reasonable certainty.

*Intro Dates:* S: 02/01/24, H: 02/01/24

*Senate Status:* 02/05/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

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

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

**SB2911/HB1600 CRIMINAL LAW: Juvenile offenders - prohibits purchase or possession of a firearm.**

●●○○○○○○○○○○ Sen. Bailey, Paul

●●○○○○○○○○○○ Rep. Williams, Ryan

*Summary:* Prohibits the purchase or possession of a firearm by a person under 25 years of age if the person was previously adjudicated delinquent for an act that, if committed by an adult, would have constituted one or more certain offenses. Allows TBI access to juvenile court records for the limited purpose of performing a background check prior to the purchase or transfer of a firearm to determine whether a person has been adjudicated as a mental defective or committed to a mental health institution at 16 years of age or older, as required by federal law, or is prohibited from purchasing a firearm because of an adjudication as delinquent.

*Amendment*

*Summary:*

*Subcommittee* CriminalSubAmendmentPacket02.13.24.pdf

*Amendments:*

*Fiscal Note:* (Dated February 10, 2024) Increase Local Expenditures - \$9,700/FY25-26\* Exceeds \$9,700/FY26-27 and Subsequent Years\* HB 1600 SB 2911

*Intro Dates:* S: 02/01/24, H: 01/09/24

*Senate Status:* 02/15/24 - Referred to Senate Judiciary Committee.

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 18; Title 37 and Title 39, relative to juvenile offenders.

*AG Opinion:*

*Cosponsors:*

*Position:* Oppose  
*Priority:*  
*Comment:* 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/>

**SB2931/HB2487 EDUCATION: Threats of mass violence made by a student.**

●●●●○○○○○○○ Sen. Powers, Bill  
●●○○○○○○○○○ Rep. Hurt, Chris

*Summary:* Conditions the expulsion of a student for committing the zero-tolerance offense of threatening mass violence on school property or at a school-related activity to threats of mass violence determined to be valid based on the results of a threat assessment. Requires directors of schools and heads of public charter schools to report threats of mass violence on school property or at a school-related activity made by a student that are determined, based on the results of a threat assessment, to be valid. Broadly captioned.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated March 10, 2024) NOT SIGNIFICANT

*Intro Dates:* S: 02/01/24, H: 01/31/24

*Senate Status:* 03/20/24 - Senate Education Committee recommended. Sent to Senate Calendar Committee.

*House Status:* 03/20/24 - Set for House Education Administration Committee 03/27/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39 and Title 49, Chapter 6, relative to threats of mass violence made by a student.

*AG Opinion:*

*Cosponsors:*

*Position:*  
*Priority:*  
*Comment:*

**SB2950/HB1585 MENTAL HEALTH: Mental health & gun safety awareness campaign.**

●●○○○○○○○○○○○ Sen. Akbari, Raumesh  
●●○○○○○○○○○○○ Rep. Pearson, Justin

*Summary:* Directs the department to develop and implement, in consultation with the department of health, a public awareness campaign on mental health and gun safety. Requires the department to make campaign materials available to the public for free on its website during calendar years 2024 and 2025. Authorizes county health departments to develop a public awareness campaign on mental health and gun safety.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:* (Dated February 28, 2024) Increase State Expenditures - Exceeds \$10,000/FY24-25

*Intro Dates:* H: 01/09/24

*Senate Status:* 02/15/24 - Set for Senate Delayed Bills Committee.

*House Status:* 03/20/24 - Set for House Health Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 33 and Title 68, relative to mental health.

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

**SB2952/HB1587 CRIMINAL LAW: Prohibition - manufacturing of semi-automatic rifles.**

●○○○○○○○○○○○○○○○○ Sen. Akbari, Raumesh

●●○○○○○○○○○○○○○○○○ Rep. Pearson, Justin

*Summary:* Prohibits the manufacture of semi-automatic rifles in this state. Specifies that a violation of this prohibition is a Class A misdemeanor.

*Amendment*

*Summary:*

*Subcommittee* CriminalSubAmendmentPacket03.05.24.pdf

*Amendments:* CriminalSubAmendmentPacket02.20.24.pdf

CriminalSubAmendmentPacket02.27.24.pdf

*Fiscal Note:* (Dated February 16, 2024) Other Fiscal Impact The extent of any impacts on state and local tax revenue cannot be quantified with reasonable certainty.

*Intro Dates:* H: 01/09/24

*Senate Status:* 02/14/24 - Filed for Introduction

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 2 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4; Title 38; Title 39; Title 40; Title 47 and Title 68, relative to firearms.

*AG Opinion:*

*Cosponsors:*

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.



**SB2954/HB1589 CRIMINAL LAW: Detachable firearm ammunition magazine prohibition.**

●○○○○○○○○○○○ Sen. Akbari, Raumesh  
●●○○○○○○○○○ Rep. Pearson, Justin

*Summary:* Prohibits the manufacture, transfer, or purchase in this state of a detachable firearm ammunition magazine that is capable of storing and feeding more than 10 rounds of ammunition. Specifies that a violation is subject to a civil penalty of up to \$5,000. Subjects to criminal forfeiture any magazines manufactured, transferred, or purchased in violation of this bill. Grandfathers possession of magazines lawfully obtained prior to July 1, 2023.

*Amendment*

*Summary:*

*Subcommittee* CriminalSubAmendmentPacket03.05.24.pdf

*Amendments:* CriminalSubAmendmentPacket02.20.24.pdf

CriminalSubAmendmentPacket02.27.24.pdf

*Fiscal Note:* (Dated February 18, 2024) Other Fiscal Impact The extent of any impacts on state and local tax revenue cannot be quantified with reasonable certainty.

*Intro Dates:* H: 01/09/24

*Senate Status:* 02/14/24 - Filed for Introduction

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 2 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 54; Title 39, Chapter 17 and Title 40, relative to ammunition magazines for firearms.

*AG Opinion:*

*Cosponsors:*

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2957/HB1592 CRIMINAL LAW: Loss or theft of firearms reporting.**

●○○○○○○○○○○○○○○○○ Sen. Akbari, Raumesh

●●○○○○○○○○○○○○○○○○ Rep. Pearson, Justin

*Summary:* Requires the owner of a firearm to report loss or theft of the firearm to law enforcement within 24 hours of discovery of the loss or theft. Details a violation is punishable only by a civil penalty of up to \$500.

*Amendment*

*Summary:*

*Subcommittee* CriminalSubAmendmentPacket03.05.24.pdf

*Amendments:* CriminalSubAmendmentPacket02.20.24.pdf

CriminalSubAmendmentPacket02.27.24.pdf

*Fiscal Note:* (Dated February 18, 2024) NOT SIGNIFICANT

*Intro Dates:* H: 01/09/24

*Senate Status:* 02/14/24 - Filed for Introduction

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 2 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 39, relative to reporting the loss of a firearm.

*AG Opinion:*

*Cosponsors:*

*Position:* Oppose

*Priority:*

*Comment:* This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2958/HB1593 CRIMINAL LAW: Firearm sales through federally licensed gun dealers.**

Sen. Akbari, Raumesh

Rep. Pearson, Justin

*Summary:* Requires, subject to certain exemptions, that a sale or transfer of a firearm be done through a federally licensed gun dealer. Creates a Class B misdemeanor offense for sales or transfers that are not conducted through a gun dealer. Changes the time frame for clerks of court to report certain mental health adjudications from no later than three business days to within 72 hours. Changes the time frame for clerks of court to report a final disposition of a criminal proceeding to the Tennessee bureau of investigation from not later than 30 days to within 72 hours.

*Amendment*

*Summary:*

*Subcommittee* CriminalSubAmendmentPacket03.05.24.pdf

*Amendments:* CriminalSubAmendmentPacket02.20.24.pdf

CriminalSubAmendmentPacket02.27.24.pdf

*Fiscal Note:* (Dated February 18, 2024) Other Fiscal Impact There will be a recurring mandatory increase in local expenditures related to incarceration in FY24-25 and subsequent years. Due to unknown variables, a precise estimate of this increase cannot be quantified at this time.\* To the extent this legislation results in an increase to the number of firearms sales transacted through federally-licensed firearm dealers, there will be an increase in revenue associated with sales tax and TBI background check fees. Based upon multiple unknown variables, any such impact cannot be determined with reasonable certainty.

*Intro Dates:* H: 01/09/24

*Senate Status:* 02/14/24 - Filed for Introduction

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 2 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 16; Title 18, Chapter 4; Title 33, Chapter 3; Title 38, Chapter 6; Title 39, Chapter 17, Part 13 and Title 68, Chapter 11, relative to the transfer of firearms.

*AG Opinion:*

*Cosponsors:*

*Position:* Oppose  
*Priority:*  
*Comment:* This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2960/HB1595 CRIMINAL LAW: Committee to study gun violence.**

●○○○○○○○○○○○ Sen. Akbari, Raumesh  
●●○○○○○○○○○ Rep. Pearson, Justin

*Summary:* Creates a committee to study the impacts of gun violence in communities in this state, prioritizing those that are of lower socioeconomic status and who have been disproportionately impacted by gun violence.

*Amendment*

*Summary:*

*Subcommittee* CriminalSubAmendmentPacket02.20.24.pdf

*Amendments:* CriminalSubAmendmentPacket02.27.24.pdf

*Fiscal Note:* (Dated February 15, 2024) Increase State Expenditures \$2,600/FY24-25

*Intro Dates:* H: 01/09/24

*Senate Status:* 02/14/24 - Filed for Introduction

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 2 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 38; Title 39 and Title 40, relative to gun violence.

*AG Opinion:*

*Cosponsors:*

*Position:* Oppose

*Priority:*

*Comment:* This proposal would likely fail constitutional challenge under the Supreme Court's Bruen decision.

**SB2961/HB1596 GOVERNMENT REGULATION: Gun Purchase Waiting Period Act.**

●○○○○○○○○○○○ Sen. Akbari, Raumesh  
●●○○○○○○○○○ Rep. Pearson, Justin

*Summary:* Prohibits a gun dealer from delivering a firearm to a purchaser until after a 15 business day waiting period following the completion of a criminal background check, a firearms transaction record, and the presentation of current identification by the purchaser to the seller.

*Amendment*

*Summary:*

*Subcommittee* CriminalSubAmendmentPacket03.12.24.pdf

*Amendments:*

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Intro Dates:* H: 01/09/24

*Senate Status:* 02/14/24 - Filed for Introduction

*House Status:* 03/20/24 - Set for House Criminal Justice Subcommittee 03/26/24.

*Executive Status:*

*Public Chapter:*

*Caption:* AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 6 and Section 39-17-1316, relative to the transfer of firearms.

*AG Opinion:*

*Cosponsors:*

*Position:*

*Priority:*

*Comment:*

**SJR904 JUDICIARY: Constitutional amendment - wearing of arms.**



Sen. Stevens, John

*Summary:* Proposes an amendment to Article I, Section 26 of the Constitution of Tennessee to remove the provision that authorizes the legislature to regulate the wearing of arms with a view to prevent crime and to state that citizens have a right to keep, bear, and wear arms for their defense, and not just for common defense.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:*

*Intro Dates:* S: 01/31/24

*Senate Status:* 03/20/24 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

*House Status:*

*Executive Status:*

*Public Chapter:*

*Caption:*

*AG Opinion:*

*Cosponsors:* Sen. Bailey, Paul; Sen. Bowling, Janice; Sen. Hensley, Joey;

*Position:*

*Priority:*

*Comment:*

**HJR131 CRIMINAL LAW: Right of the citizens to keep, bear, and wear arms.**



Rep. Garrett, Johnny

*Summary:* Addresses and establishes the declared public policy of the State of Tennessee relative to the right of the citizens and those within the boundaries of this State to keep, bear, and wear arms.

*Amendment*

*Summary:*

*Subcommittee*

*Amendments:*

*Fiscal Note:*

*Intro Dates:*

*Senate Status:* 03/20/24 - Set for Senate Judiciary Committee 03/26/24.

*House Status:* 03/06/23 - House adopted.

*Executive Status:*

*Public Chapter:*

*Caption:*

*AG Opinion:*

*Cosponsors:* Rep. Faison, Jeremy; Rep. Lamberth, William; Rep. Reedy, Jay; Rep. Todd, Chris;

*Position:* Neutral

*Priority:*

*Comment:* This is a House Joint Resolution. It would not create a new law that would have legal, enforceable effect.