



TENNESSEE FIREARMS ASSOCIATION

Tennessee's ONLY No-Compromise Gun Organization

TFA 2024 Legislation

Bill Status Report Week of April 1, 2024

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: Senate Judiciary Committee amendment 1, House Criminal Justice Subcommittee amendment 1 (016052) authorizes a private citizen to threaten to use deadly force in making an arrest for a violent crime committed or threatened against the private citizen making the arrest, or a violent crime committed or threatened in the presence of the private citizen making the arrest.

Subcommittee Amendments: CriminalSubamendments01.16.24.pdf
CriminalSubAmendmentPacket01.23.24.pdf
CriminalSubAmendmentPacket01.30.24.pdf
CriminalSubAmendmentPacketRegCal03.19.24.pdf

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

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

Senate Status: 04/04/24 - Withdrawn in Senate.

House Status: 04/03/24 - House Criminal Justice Subcommittee deferred to summer study.

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. Hulsey, 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:

SB1029/HB1233 CRIMINAL LAW: Storage of firearms on motor vehicles or boats - penalties.

●●○○○○○○○○○○ Sen. Yarbro, Jeff

●●○○○○○○○○○○ Rep. Hemmer, Caleb

Summary: Creates the offense of storing a firearm or firearm ammunition in a motor vehicle or boat while the person is not in the motor vehicle or boat unless the firearm or firearm ammunition is kept from ordinary observation and locked within the trunk, utility or glove box, or a locked container securely affixed to the motor vehicle or boat. Requires the owner of a firearm to report the loss or theft of the firearm to law enforcement within 24 hours of the discovery of the loss or theft.

Amendment

Summary:

Subcommittee

Amendments:

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

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

Senate Status: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/04/23 - Taken off notice 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>	

SB1322/HB1044 CRIMINAL LAW: Enhanced handgun carry permit issued by department of safety.

●●○○○○○○○○○○ Sen. Bailey, Paul

●●○○○○○○○○○○ Rep. Bricken, Rush

Summary: Requires the department of safety to issue permits with the designation "Enhanced Handgun Carry Permit" on the front of the permit. Requires the department to issue a replacement with the designation "Enhanced Handgun Carry Permit" for any permit that contains the designation "Handgun Carry Permit" upon renewal. Prohibits the department to require a permit holder from undergoing a new test or class in order to receive a replacement permit.

Amendment

Summary:

Subcommittee

Amendments:

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

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

Senate Status: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 01/31/24 - House Civil Justice Committee deferred to Special Calendar to be Published with Final Calendar in Civil Justice Committee.

Executive Status:

Public Chapter:

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

AG Opinion:

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

Position:

Priority:

Comment:

SB1325/HB1202 EDUCATION: Authorization of a school staff member to carry a concealed handgun on school grounds.

●●●●○○○○○○○○ Sen. Bailey, Paul

●●●●○○○○○○○○ Rep. Williams, Ryan

Summary: Authorizes a faculty or staff member of a school to carry a concealed handgun on school grounds subject to certain conditions, including obtaining an enhanced handgun carry permit and completing annual training.

Amendment Summary: House Civil Justice Committee amendment 1 (006139) permits a faculty or staff member employed by a LEA to possess and carry a concealed handgun on the school grounds. Requires the faculty or staff member to possess a valid handgun carry permit, not be prohibited from carrying a handgun under state or federal laws, have the written authorization of the chief of the appropriate law enforcement agency to carry or possess a concealed handgun on school grounds, and have successfully completed 40 hours in basic training in school policing when the authorization to carry a handgun on school grounds is issued and each year following. Requires the director of school to notify the chief of the appropriate law enforcement agency of the authorization of a faculty or staff member to carry a concealed handgun. Requires specific identifying information and documents to remain confidential. Prohibits the faculty or staff member from carrying the handgun openly or in stadiums, gymnasiums, auditoriums, in meetings regarding disciplinary or tenure issues, medical or health offices, or any location where a provision of state or federal law prohibits the carrying of a handgun. Senate Judiciary Committee amendment 1, House Education Administration Committee amendment 1 (006894) authorizes a person employed by a local education agency (LEA) as a faculty or staff member at a school within the LEA to possess and carry a concealed handgun on the grounds of the school at which the person is assigned. Establishes requirements for a faculty or staff member at a school within the LEA to possess and carry a concealed handgun on the grounds of the school. Establishes that an LEA and law enforcement agency are immune from claims for monetary damages that arise solely from, or that are related to, a faculty or staff member's use of, or failure to use, a handgun. Establishes that the section does not apply to schools within the Department of Children's Services LEA or schools within the Department of Correction's LEA.

Subcommittee

Amendments:

Fiscal Note: (Dated March 10, 2023) NOT SIGNIFICANT

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

Senate Status: 04/02/24 - Senate Judiciary Committee recommended with amendment 1 (006894). Sent to Senate Calendar Committee.

House Status: 04/17/23 - Held on House clerk's desk.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13 and Title 49, Chapter 6, Part 8, relative to schools.

AG Opinion:

Cosponsors: Rep. Capley, Kip;

Position:
Priority:
Comment:

SB1652/HB1712 CRIMINAL LAW: Issuance of risk protection order.

●●○○○○○○○○○○ Sen. Campbell, Heidi
●●○○○○○○○○○○ Rep. Freeman, Bob

Summary: Permits a court to issue a risk protection order upon a finding by clear and convincing evidence that a person poses a significant danger of causing personal injury to the person or others if allowed to possess or purchase a firearm. Specifies that a petition for a risk protection order must be filed in the county where the petitioner's law enforcement office is located, as applicable, or the county where the respondent resides. Authorizes a law enforcement officer to petition for the risk protection order (17 pp.).

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 11, 2024) Increase State Expenditures \$605,000/FY24-25 \$248,800/FY25-26 and Subsequent Years \$127,000 Incarceration SB 1652 - HB 1712

Intro Dates: H: 01/10/24

Senate Status: 01/10/24 - Referred to Senate Judiciary Committee.

House Status: 04/02/24 - Failed in House Civil Justice Subcommittee for lack of a second.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 36; Title 38 and Title 39, relative to orders of protection.

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/>

SB1655/HB1714 CRIMINAL LAW: Dispossession of firearm by a domestic assault offender.

Sen. Campbell, Heidi
Rep. Freeman, Bob

Summary: Requires a domestic assault offender who transferred possession of a firearm to a third party in order to dispossess the firearm to submit to the court an affidavit of firearms receipt in which the third party attests that the third party may lawfully possess a firearm, has received the firearm from the defendant, and accepts responsibility for possession of the firearm. Requires the administrative office of the courts to develop the affidavit of firearms receipt form.

Amendment

Summary:

Subcommittee

Amendments:

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

Intro Dates: H: 01/10/24

Senate Status: 04/02/24 - Failed in Senate Judiciary Committee.

House Status: 01/11/24 - Referred to House Civil Justice Subcommittee.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 3, Part 6 and Title 39, relative to dispossession 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/>

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 (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. House amendment 1 (017171) requires the Department of Health (DOH) to submit an annual report to the Governor, detailing the total number of firearm injuries and deaths, as well as certain demographics, caused by firearms in this state per 100,000 people that occurred in the previous calendar year. Requires the Attorney General and Reporter to assist in collecting information necessary for the reports, upon request. Requires DOH to ensure that the confidentiality of individually identifiable health information is maintained in the department's reporting. Requires the report to be submitted by August 1, 2025, and by each August 1 thereafter.

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).

House Status: 04/04/24 - House passed with amendment 1 (017171), which requires the Department of Health (DOH) to submit an annual report to the Governor, detailing the total number of firearm injuries and deaths, as well as certain demographics, caused by firearms in this state per 100,000 people that occurred in the previous calendar year. Requires the Attorney General and Reporter to assist in collecting information necessary for the reports, upon request. Requires DOH to ensure that the confidentiality of individually identifiable health information is maintained in the department's reporting. Requires the report to be submitted by August 1, 2025, and by each August 1 thereafter.

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: 04/02/24 - Enacted as Public Chapter 0615 effective July 1, 2024.

Public Chapter: PC615.pdf

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;

<p><i>Position:</i></p> <p><i>Priority:</i></p> <p><i>Comment:</i></p>
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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: 03/19/24 - Signed by Senate speaker.

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

Executive Status: 04/03/24 - Enacted as Public Chapter 0587 effective March 21, 2024.

Public Chapter: PC587.pdf

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:

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: 04/02/24 - Taken off notice in House Civil Justice Subcommittee.

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: 04/02/24 - Failed in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

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: 03/26/24 - Failed in Senate Judiciary Committee.

House Status: 04/02/24 - Taken off notice in House Civil Justice Subcommittee.

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/>

SB1697/HB1823 CRIMINAL LAW: Firearm hold agreement.



Sen. Walley, Page

Rep. Farmer, Andrew

Summary: Defines "firearm hold agreement" as a private transaction between a licensed federal firearms dealer and a firearm owner under which the dealer takes possession of the owner's firearm at the owner's request, holds the firearm for an agreed period of time, and then returns the firearm. States that a person does not have a cause of action against a licensed federal firearms dealer for any act or omission arising from a firearm hold agreement and resulting in personal injury or death of any natural person unless the action was the result of unlawful conduct by the licensed federal firearms dealer. Broadly captioned.

Amendment

Summary:

Subcommittee

Amendments:

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

Intro Dates:

Senate Status: 03/12/24 - Failed in Senate Judiciary Committee.

House Status: 04/02/24 - Taken off notice in House Civil Justice Subcommittee.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, relative to firearm hold agreements.

AG Opinion:

Cosponsors:

Position: Oppose

Priority:

Comment: This creates a pattern where firearms are privately owned but are placed in custodial possession of a person or entity whose records are open to ATF inspection and will become at some point permanently in the possession of the ATF. Further, legislation does not appear to address whether the individual would have to submit to any future background check, including checks by TBI or local government, to recover their items.

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: 04/04/24 - Senate passed.

House Status: 04/04/24 - House passed.

Executive Status: 04/04/24 - Sent to the speakers for signatures.

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: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

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.

SB1746/HB2014 CRIMINAL LAW: Tennessee Voluntary Do Not Sell Firearms Act.

●●○○○○○○○○○○ Sen. Campbell, Heidi
●●○○○○○○○○○○ Rep. Whitson, Sam

Summary: Allows a person to voluntarily waive their firearm rights through filing a waiver with the clerk of the circuit court in the county of the person's residence or with their healthcare provider. Specifies procedures the clerk, healthcare provider, TBI, and department of health must follow upon receipt of a waiver.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 20, 2024) Increase State Expenditures \$50,000/FY24-25 Other Fiscal Impact Any increase in expenditures to the Department of Safety is estimated to be not significant. However, if the scope of work required by this and other legislation subsequently enacted exhausts the relevant A-List contract provision, the proposed legislation could result in an increase in state expenditures estimated to be \$20,000 in FY24-25.

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

Senate Status: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/02/24 - Taken off notice in House Civil Justice Subcommittee.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3; Section 10-7-504 and Title 39, Chapter 17, Part 13, relative to the "Tennessee Voluntary Do Not Sell Firearms Act."

AG Opinion:

Cosponsors:

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	This type of legislation has been offered in the past and repeatedly opposed.

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:

Senate Judiciary Committee amendment 1, 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. House Finance Committee amendment 1, Senate Judiciary Committee amendment 2 (015789) requires that the presumption may only be rebutted by clear and convincing evidence that the person does not pose an imminent substantial likelihood of serious harm. The bill originally specified "immediate" rather than "imminent." House Finance Committee amendment 1 (017844) 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

CriminalSubAmendmentPacket01.30.24.pdf

*Amendments:*Finance_Sub_Amendments_03.27.2024.pdf
01.30.24CrimSubAdoptedAmendments.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 (013322) and amendment 2 (015782). Sent to Senate Finance.

House Status:

04/04/24 - Set for House Floor on 04/15/24.

*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/>

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: 04/01/24 - Failed in Senate Judiciary Committee.

House Status: 04/02/24 - Taken off notice in House Civil 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 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/>

SB1852/HB1934 CRIMINAL LAW: Firearms offenses involving minors.

●●○○○○○○○○○○ Sen. Kyle, Sara
●●○○○○○○○○○○ Rep. Hakeem, Yusuf

Summary: Creates the Class A misdemeanor of knowingly selling, loaning, or making a gift of a firearm to a minor for the purpose of inducing or coercing the minor to commit an offense. Subjects a person convicted of such offense to civil liability for any criminal act committed by the minor. Broadly captioned.

Amendment

Summary:

Subcommittee

Amendments:

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

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

Senate Status: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 4; Title 37 and Title 39, relative to firearms offenses involving minors.

AG Opinion:

Cosponsors:

<i>Position:</i>	Neutral
<i>Priority:</i>	
<i>Comment:</i>	Possible caption bill

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 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
02.13.24CrimSubAdoptedAmendments.pdf

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

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

Senate Status: 03/28/24 - Senate passed with amendment 1 (015821).

House Status: 04/04/24 - House concurred in Senate amendment 1 (015821).

Executive Status: 04/04/24 - Sent to the speakers for signatures.

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: 04/02/24 - Taken off notice in Senate Judiciary Committee.

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: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice 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:

Priority:

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

SB1927/HB2218 CRIMINAL LAW: Regulation of storage of firearms in certain municipalities.

●●○○○○○○○○○○ Sen. Akbari, Raumesh

●●○○○○○○○○○○ Rep. Love Jr., Harold

Summary: Permits the largest municipality in Shelby, Davidson, Knox, or Hamilton County to regulate the manner of storage of firearms, firearm ammunition, and firearm accessories by ordinance, resolution, policy, rule, or other enactment.

Amendment

Summary:

Subcommittee

Amendments:

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

Intro Dates: S: 01/25/24, H: 01/29/24

Senate Status: 04/02/24 - Taken off notice in Senate Judiciary Committee.

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

Executive Status:

Public Chapter:

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

AG Opinion:

Cosponsors:

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: 04/03/24 - Set for House Finance, Ways & Means Committee 04/09/24.

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: 04/02/24 - Enacted as Public Chapter 0626 effective July 1, 2024.

Public Chapter: PC626.pdf

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: 04/02/24 - Senate Judiciary Committee recommended. Sent to Senate Finance.

House Status: 04/03/24 - Set for House Criminal Justice Committee 04/09/24.

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;

<p><i>Position:</i></p> <p><i>Priority:</i></p> <p><i>Comment:</i></p>
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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: 04/02/24 - Failed in Senate Judiciary Committee.

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:

<p><i>Position:</i></p> <p><i>Priority:</i></p> <p><i>Comment:</i></p>
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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. Senate amendment 2 (015625) prohibits an insurer from refusing to insure or charge a different rate to a person on the basis of political opinions or religious beliefs.

Subcommittee Amendments: Banking_Sub_Amendments_03.05.24.pdf

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: 03/25/24 - Senate passed with amendment 2 (015625).

House Status: 04/01/24 - House concurred in Senate amendment 2 (015625).

Executive Status: 04/01/24 - Sent to the speakers for signatures.

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: 04/02/24 - Failed in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39 and Title 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: 04/01/24 - Senate bumped from consent.

House Status: 04/02/24 - House Criminal Justice Committee deferred to summer study.

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: House Civil Justice Subcommittee amendment 1 (017204) enacts the Suicide Prevention Act of 2024. Requires the Tennessee Bureau of Investigation (TBI) to establish a program that enables a person to voluntarily waive the person's right to possess, purchase, or transport a firearm. Establishes the process by which such a program must be administered, including the process by which an enrollee may revoke such a voluntary waiver. Requires a completed voluntary waiver form to be submitted to the clerk of the circuit court of the county in which the enrollee resides. Requires the circuit court clerk to transmit the completed form to the TBI and the Department of Safety (DOS) within three business days. Requires the TBI to maintain updated information in the program so that it can be used to flag unlawful transfers of firearms to those who have voluntarily waived their right to purchase or possess them. Requires the DOS, upon receipt of a completed form, to revoke any existing handgun carry permits issued to the applicant. Requires, upon an enrollee's successful revocation from the program, the TBI and the DOS to destroy all records related to the person's enrollment, the TBI to remove the person from any state or federal databases used by law enforcement to identify prohibited purchasers of firearms in which the person's enrollment was entered, and the DOS to reinstate the applicant's handgun carry permits. Creates a Class A misdemeanor offense for the sale of a firearm to someone who is a known enrollee in the program. Establishes that any person that knowingly makes a false statement regarding the person's identity on an enrollment or revocation form for the program commits perjury. Creates a Class C misdemeanor offense for a person who is enrolled in the program to purchase, possess, or transport a firearm. Effective upon becoming a law for the purposes of implementation. Effective for all other purposes on January 1, 2025. Senate Judiciary Committee amendment 1 (017715) rewrites the bill and creates the "Suicide Prevention Act of 2024." Requires the TBI to establish a program for revocable voluntary waiver of firearm rights to avoid purchase, possession, and transportation of firearms by and sale of firearms to persons or are voluntarily admitted to a public or private hospital for mental illness or serious emotional disturbance. Requires the TBI to create a request form for revocable waiver of firearm rights which includes spaces for two persons to be guardian angels, a declaration of any firearms that are in the ownership of the enrollee, and an acknowledgement that it is an offense for a person who is enrolled in the revocable voluntary waiver of firearm rights to possess, purchase, or transport a firearm and it is a Class C misdemeanor. The request must be sent to the circuit court clerk and the clerk must transmit a copy of the completed request to the department of safety within three days. Valid photo identification is required for the revocation form to be accepted. States the process for removing a person from the revocable voluntary waiver of firearms rights program. Declares a certain level of privacy and withholding from public discourse for a request to be enrolled or removed from the program.

Subcommittee Amendments: Civil_Justice_Sub_Amendments_04.02.2024.pdf

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: 04/02/24 - Failed in Senate Judiciary Committee after adopting amendment 1 (017715).

House Status: 04/03/24 - Set for House Civil Justice Committee 04/10/24.

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: 03/26/24 - Failed in Senate Judiciary Committee.

House Status: 04/02/24 - House Civil Justice Subcommittee took no action.

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;

Position:

Priority:

Comment:

SB2189/HB2195 CRIMINAL LAW: Prohibits the possession of an assault weapon.

Sen. Campbell, Heidi
Rep. Mitchell, Bo

Summary: Prohibits the possession of an assault weapon. To defend against prosecution for possession of an assault weapon, individuals must prove they possessed the assault weapon prior to Jul. 1, 2024. A person in possession of an assault weapon must apply for a certificate of possession created by the Department of Safety by Jul. 1, 2025. The legislation establishes requirements for inheriting an assault weapon, possession of assault weapons by members of the United States Armed Forces, and the sale or transfer of assault weapons.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 10, 2024) Increase State Expenditures \$11,900 Incarceration Other Fiscal Impact There will be a recurring decrease in state and local revenue related to sales taxes. A precise estimate of such decreases cannot be determined. The extent of any potential impacts on state and local business tax revenue related to firearm manufacturing facilities can also not be determined. Further, there will be a recurring decrease in revenue to the Tennessee Bureau of Investigation related to background check fees of an unknown amount. HB 2195 - SB 2189

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

Senate Status: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/02/24 - Failed in House Civil Justice Subcommittee for lack of a motion.

Executive Status:

Public Chapter:

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

AG Opinion:

Cosponsors:

Position:
Priority:
Comment:

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: 04/02/24 - Failed in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice 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 large-capacity magazines.

AG Opinion:

Cosponsors:

<p><i>Position:</i></p> <p><i>Priority:</i></p> <p><i>Comment:</i></p>
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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: 04/02/24 - Failed in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

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: 04/02/24 - Failed in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice 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 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 amendment 1 (015729) revises the provision that 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 by, instead, authorizing a firearms retailer physically located in this state whose business was the subject of a violation or a customer who has transacted business at such a firearms retailer to petition the attorney general to investigate an alleged 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).**House Status:** 04/01/24 - House passed with amendment 1 (015729).**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. Hulseley, 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;**Position:****Priority:****Comment:**

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: 04/02/24 - Failed in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

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: 04/02/24 - Failed in Senate Judiciary Committee.

House Status: 04/03/24 - Returned to House clerk's desk.

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.

SB2388/HB1868 CRIMINAL LAW: Delivery of trigger crank or bump stocks to purchaser.

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

Summary: Prohibits gun dealers from delivering to a purchaser any part, combination of parts, component, device attachment, or accessory that is designed or functions to accelerate the rate of a firearm until 72 hours have passed from the initial time the sale of the firearm accessory was sought by the purchaser. Broadly captioned.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 28, 2024) NOT SIGNIFICANT

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

Senate Status: 04/01/24 - Taken off notice in Senate Judiciary Committee.

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.

AG Opinion:

Cosponsors:

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

SB2475/HB2648 CRIMINAL LAW: Range training for handgun permits.

●●○○○○○○○○○○ Sen. Akbari, Raumesh
●●○○○○○○○○○○ Rep. McKenzie, Sam

Summary: Requires all individuals carrying handguns, whether open or concealed, to possess a permit and requires that a person applying for an enhanced handgun carry permit to have proof of having completed a handgun safety course. Also removes the eligibility for renewal of all concealed handgun carry permits issued prior to July 1, 2024.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 4, 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 Other Fiscal Impact The proposed legislation will require changes to the Department of Safety's A-List software system related to abolishing concealed handgun carry permits. It is assumed that these modifications can be accomplished by the vendor under the current contractual agreement without a need for additional expenditures; therefore, any fiscal impact to the department is estimated to be not significant. However, if the scope of work required by this and other legislation subsequently enacted exhausts the relevant contract provision, the proposed legislation could result in an increase in state expenditures up to \$78,000 in FY24-25.

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

Senate Status: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/02/24 - Failed in House Civil Justice Subcommittee for lack of a second.

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:

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: 03/26/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/02/24 - Taken off notice in House Civil Justice Subcommittee.

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: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

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:

SB2502/HB2082 CRIMINAL LAW: TBI report on money collected for background checks associated with firearm sales.

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

Summary: Requires the TBI to submit a report on the amount of money collected for background checks associated with firearm sales in excess of the costs associated with conducting the background checks to the criminal justice committee of the house of representatives and the judiciary committee of the senate by March 1, rather than February 1, of each year. Broadly captioned.

Amendment Summary: Senate Judiciary Committee amendment 1, House Civil Justice Subcommittee amendment 1 (014746) deletes the offense of carrying, with the intent to go armed, a firearm or a club. Deletes the offense for a juvenile to knowingly possess a handgun. Creates an offense, punishable as a delinquent act, for a juvenile to carry, with the intent to go armed, a firearm. Revises the many defenses to prosecution for a juvenile to possess a handgun so that they apply to the new offense of a juvenile carrying, with the intent to go armed, a firearm. Lowers the age requirement to obtain an enhanced, lifetime enhanced, or concealed handgun carry permit from 21 years of age to 18 years of age.

Subcommittee Amendments: Civil_Justice_Sub_Amendments_04.02.2024.pdf

Fiscal Note: (Dated January 27, 2024) NOT SIGNIFICANT

Intro Dates: S: 02/01/24

Senate Status: 04/02/24 - Senate Judiciary Committee recommended with amendment 1 (014746). Sent to Senate Finance.

House Status: 04/03/24 - Set for House Civil Justice Committee 04/10/24.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, relative to weapons.

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. Roberts, Kerry
●●●○○○○○○○○○ 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: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/03/24 - Set for House Civil Justice Committee 04/10/24.

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; Rep. Carr, Dale; Rep. Fritts, Monty;

Position: Support

Priority:

Comment:

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: 04/01/24 - Failed in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

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: 03/20/24 - Signed by Senate speaker.

House Status: 03/20/24 - Signed by House speaker.

Executive Status: 04/02/24 - Signed by governor.

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;

Position:

Priority:

Comment:

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: Senate Judiciary Committee amendment 1 (015071) enhances the penalty for the offense of theft of a firearm to a Class C felony.

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: 04/01/24 - Senate Judiciary Committee recommended with amendment 1 (015071). Sent to Senate Finance.

House Status: 04/03/24 - Failed in House Criminal Justice Subcommittee.

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: Senate Judiciary Committee amendment 1 (01433) authorizes a juvenile court to transfer a child to be held and tried as an adult if the child was at least 14 but less than 17 years of age at the time of the alleged conduct and charged with: an offense that would be a felony if committed by an adult and involving the use of a firearm; theft of a firearm; robbery involving the theft of a firearm; burglary involving the theft of a firearm; or an attempt to commit such offenses. Senate Judiciary Committee amendment 2, House Criminal Justice Subcommittee amendment 1 (016700) details the confinement procedure of the child.

Subcommittee CriminalSubAmendmentPacket03.12.24.pdf

Amendments: CriminalSubAmendmentPacketRegCal03.19.24.pdf

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: 03/26/24 - Senate Judiciary Committee recommended with amendment 1 (014339) and amendment 2 (016700). Sent to Senate Finance.

House Status: 04/03/24 - Set for House Criminal Justice Committee 04/09/24.

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:

SB2734/HB2901 MENTAL HEALTH: Prerequisites for emergency detention and admission to a treatment facility.

 Sen. Jackson, Ed
Rep. Kumar, Sabi

Summary: Changes prerequisites for emergency detention and admission to a treatment facility from "immediate" substantial likelihood of serious harm to "imminent" substantial likelihood of serious harm. Broadly captioned.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated February 15, 2024) NOT SIGNIFICANT

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

Senate Status: 03/25/24 - Senate passed.

House Status: 04/02/24 - Signed by House speaker.

Executive Status: 03/25/24 - Sent to the speakers for signatures.

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 16; Title 33; Title 41 and Title 68, relative to mental health services.

AG Opinion:

Cosponsors:

Position: Neutral

Priority:

Comment: This legislation opens up an area of the law in a manner that could be readily amended to create a Red Flag law. For that reason, this legislation should be carefully monitored for possible adverse amendments.

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: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

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>	

SB2763/HB2035 CRIMINAL LAW: Extreme risk protection orders.

●●●●○○○○○○○○ Sen. Bowling, Janice
●●○○○○○○○○○○ Rep. Barrett, Jody

Summary: Preempts the entire field of legislation regarding extreme risk protection orders to the exclusion of all county, city, town, municipality, or metropolitan government laws, ordinances, resolutions, enactments, or regulations. Declares a federal statute, rule, executive order, or federal judicial order that has the effect of enforcing an extreme risk protection order to be null and void. Creates a Class A misdemeanor offense of attempting to enforce a federally implemented extreme risk protection order. Broadly captioned.

Amendment Summary: Senate Judiciary Committee amendment 1, House Civil Justice Subcommittee amendment 1 (017797) declares the General Assembly to preempt the entire field of legislation to the exclusion of the acts of all political subdivisions of Tennessee with respect to "extreme risk protection orders". Prohibits a political subdivision from accepting a grant or other source of funding for the purpose of implementing an ordinance, rule, executive order, judicial order, or judicial finding that would have the effect of enforcing an extreme risk protection order.

Subcommittee Amendments: Civil_Justice_Sub_Amendments_04.02.2024.pdf

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

Intro Dates: H: 01/24/24

Senate Status: 04/02/24 - Senate Judiciary Committee recommended with amendment 1 (017797). Sent to Senate Calendar Committee.

House Status: 04/03/24 - Set for House Civil Justice Committee 04/10/24.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 36; Title 38 and Title 39, relative to extreme risk protection orders.

AG Opinion:

Cosponsors: Rep. Bricken, Rush; Rep. Butler, Ed; Rep. Capley, Kip; Rep. Cochran, Mark; Rep. Crawford, John; Rep. Darby, Tandy; Rep. Doggett, Clay; Rep. Faison, Jeremy; Rep. Fritts, Monty; Rep. Grills, Rusty; Rep. Hill, Timothy; Rep. Keisling, Kelly; Rep. Martin, Brock; Rep. McCalmon, Jake; Rep. Moon, Jerome; Rep. Richey, Bryan; Rep. Rudd, Tim ; Rep. Todd, Chris; Rep. Vital, Greg; Rep. Zachary, Jason;

Position:

Priority:

Comment:

SB2788/HB2883 CRIMINAL LAW: Carrying of handguns in public schools buildings and buses by law enforcement officers.

●●○○○○○○○○○○ Sen. Pody, Mark
●●○○○○○○○○○○ Rep. Todd, Chris

Summary: Allows law enforcement officers, whether on-duty or off-duty, retired law enforcement officers, active duty and retired members of the armed forces of the United States, whether in discharge of official duties or not, and enhanced handgun carry permit holders, except in certain circumstances, to possess or carry, whether openly or concealed, with or without the intent to go armed, a handgun in any Pre-K-12 public school building or bus, school campus, grounds, recreation area, athletic field, or any other property owned, operated, or while in use by any public board of education or Pre-K-12 school. Broadly captioned.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 3, 2024) Other Fiscal Impact Liability insurance expenditures for schools is estimated to increase; however, the precise amount or timing of the increase cannot be reasonably determined at this time.

Intro Dates: H: 02/01/24

Senate Status: 03/12/24 - Senate Judiciary Committee deferred to Final Calendar.

House Status: 04/02/24 - Taken off notice in House Civil Justice Subcommittee.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 38; Title 39, Chapter 17, Part 13 and Title 49, relative to firearms.

AG Opinion:

Cosponsors:

Position:

Priority:

Comment:

SB2797/HB2809 CRIMINAL LAW: Carrying of a firearm by a retired law enforcement officer.

●●●●○○○○○○○ Sen. Rose, Paul
●●○○○○○○○○○ Rep. Hulsey, Bud

Summary: Expands the definition of law enforcement officer as it relates to carrying firearms to include retired law enforcement officers. Broadly captioned.

Amendment Summary: House Civil Justice Subcommittee amendment 1 (014209) expands the definition of a law enforcement officer for the purposes of lawful carrying of a firearm to include a retired law enforcement officer who is carrying pursuant to other state laws. Deletes an exception to the authorities granted to law enforcement officers regarding the officers' lawful carrying of firearms. Deletes a provision that stipulated that, within certain counties, the broad authorities granted to law enforcement officers to lawfully carry firearms apply only to the officers who are officers for those counties or for municipalities located therein.

Subcommittee: Civil_Justice_Sub_Amendments_04.02.2024.pdf

Amendments:

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

Intro Dates: H: 02/01/24

Senate Status: 04/02/24 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

House Status: 04/03/24 - Set for House Civil Justice Committee 04/10/24.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 38 and Title 39, 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

03.05.24CrimSubAdoptedAmendments.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: 04/02/24 - Failed in 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:

Position: Oppose

Priority:

Comment: 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: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice 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:

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: Senate Judiciary Committee amendment 1, House Criminal Justice Subcommittee amendment 1 (015098) prohibits the purchase or possession of a firearm until the age of 25 for any juvenile who, at the age of 14 years or older, was adjudicated delinquent for conduct that, if committed by an adult, would constitute one of the following offenses: (1) aggravated assault; (2) aggravated assault against a first responder or nurse; (3) criminal homicide; (4) robbery; (5) aggravated robbery; (6) especially aggravated robbery; (7) carjacking; (8) burglary; (9) aggravated burglary; (10) especially aggravated burglary; (11) aggravated cruelty to animals; (12) a threat of mass violence, or; (13) any other criminal offense that involves the use or display of a firearm. Establishes that a person under 25 years of age who was adjudicated as such on or after July 1, 2024, is ineligible to obtain an enhanced or concealed handgun carry permit. Requires the Department of Safety (DOS) to suspend or revoke a handgun permit issued to an adult under 25 years of age upon a showing by its records or other sufficient evidence that the permit holder was adjudicated as such on or after July 1, 2024. Requires, as soon as practicable, but not later than three business days after final disposition of the delinquency proceedings, the juvenile court clerk to electronically submit to the instant check unit of the Tennessee Bureau of Investigation (TBI) of final disposition of the proceedings against a juvenile adjudicated delinquent for such an act. Creates a Class A misdemeanor offense for a person under 25 years of age who was adjudicated delinquent for such an act on or after July 1, 2024, to possess a firearm. Prohibits a federally licensed gun dealer from selling a firearm to such a person until the person is 25 years of age. Opens the files and records of a juvenile court proceeding to inspection by the TBI for the limited purpose of performing a background check prior to the transfer of a firearm in accordance with current law. Prohibits the expunction of court files and juvenile records related to an individual's delinquency adjudication while that individual is under a prohibition of firearm purchase or possession in accordance with this legislation. Enhances the requirements that must be met by clear and convincing evidence to authorize a court to order the expunction of records related to an adjudication of a juvenile as delinquent or unruly.

Subcommittee CriminalSubAmendmentPacket02.13.24.pdf

Amendments: CriminalSubAmendmentPacketRegCal03.19.24.pdf

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: 04/02/24 - Senate Judiciary Committee recommended with amendment 1 (015098). Sent to Senate Calendar Committee.

House Status: 04/03/24 - Set for House Criminal Justice Committee 04/09/24.

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/>

SB2912/HB2032 CRIMINAL LAW: Removal of penalties for possessing a weapon in a building that prohibits weapons.

●●○○○○○○○○○○ Sen. Bailey, Paul
●●○○○○○○○○○○ Rep. Barrett, Jody

Summary: Removes the offense of possessing a weapon in a building that prohibits or restricts weapons. Allows a person with an enhanced handgun carry permit to carry a handgun into a business that prohibits or restricts weapons. Removes penalties for violations of certain firearms provisions.

Amendment Summary: House Civil Justice Subcommittee amendment 1 (013759) deletes the offense of unlawfully possessing a weapon on property that is posted to prohibit such possession in accordance with the law. Authorizes a person who possesses a valid enhanced handgun permit to lawfully carry a weapon on property for which such possession has been prohibited. Removes the penalty of revocation of a handgun carry permit for a violation of unlawfully possessing a weapon on posted property or failing to notify the Department of Safety (DOS) within 60 days of any change in a permit holders principal place of residence. Deletes the offense of a handgun permit holder failing to notify the DOS within 60 days of any change in the permit holders principal place of residence.

Subcommittee Amendments: Civil_Justice_Sub_Amendments_04.02.2024.pdf

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

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

Senate Status: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/03/24 - Set for House Civil Justice Committee 04/10/24.

Executive Status:

Public Chapter:

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

AG Opinion:

Cosponsors: Rep. Bricken, Rush; Rep. Bulso, Gino; Rep. Butler, Ed; Rep. Capley, Kip; Rep. Cochran, Mark; Rep. Doggett, Clay; Rep. Eldridge, Rick; Rep. Fritts, Monty; Rep. Grills, Rusty; Rep. Keisling, Kelly; Rep. Martin, Brock; Rep. Richey, Bryan; Rep. Todd, Chris; Rep. Vital, Greg; Rep. Zachary, Jason;

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

SB2923/HB2882 EDUCATION: Age-appropriate and grade-appropriate instruction on firearm safety.



Sen. Bailey, Paul
Rep. Todd, Chris

Summary: Requires, beginning with the 2025-2026 school year, each local education agency and public charter school to provide students with age-appropriate and grade-appropriate instruction on firearm safety.

Amendment

Summary:

Subcommittee

Amendments:

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

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

Senate Status: 04/04/24 - Senate passed.

House Status: 02/29/24 - House passed.

Executive Status: 04/04/24 - Sent to the speakers for signatures.

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to firearm safety instruction.

AG Opinion:

Cosponsors: Rep. Bricken, Rush; Rep. Bulso, Gino; Rep. Burkhardt, Jeff; Rep. Capley, Kip; Rep. Davis, Elaine; Rep. Doggett, Clay; Rep. Gant, Ron; Rep. Grills, Rusty; Rep. Hardaway, G.A.; Rep. Leatherwood, Tom; Rep. McCalmon, Jake; Rep. Moody, Debra; Rep. Parkinson, Antonio; Rep. Powers, Dennis; Rep. Richey, Bryan; Rep. Russell, Lowell; Rep. Sherrell, Paul;

Position: Support

Priority:

Comment: Support increased education but needs to address content of instruction.

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: 03/25/24 - Senate passed.

House Status: 04/03/24 - House Education Administration Committee recommended. Sent to House Calendar & Rules.

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:

SB2951/HB1586 CRIMINAL LAW: Extreme risk protection order by law enforcement officers.

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

Summary: Allows a law enforcement officer to petition for an extreme risk protection order. Requires the court to issue an extreme risk protection order if, after notice and a hearing on the petition, the court finds by clear and convincing evidence that the person poses a significant danger of causing personal injury to the person's self or others by purchasing or possessing a firearm or ammunition.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 3, 2024) Increase State Expenditures Exceeds \$240,000/FY24-25 \$369,500 Incarceration

Intro Dates: H: 01/09/24

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

House Status: 04/02/24 - House Civil Justice Subcommittee took no action.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 37; Title 38 and Title 39, relative to protection orders.

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: 04/03/24 - Returned to House clerk's desk.

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:

Position: Oppose

Priority:

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

SB2953/HB1588 CRIMINAL LAW: Firearm storage in motor vehicles.

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

Summary: Prohibits the storage of a firearm or firearm ammunition in a motor vehicle unless the firearm or ammunition is not plainly observable and either the owner is present in the vehicle or the firearm or ammunition is inside a locked compartment. Authorizes a civil penalty of up to \$500 per violation.

Amendment

Summary:

Subcommittee

Amendments:

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

Intro Dates: H: 01/09/24

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

House Status: 04/02/24 - House Civil Justice Subcommittee took no action.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to the storage of firearms in motor vehicles.

AG Opinion:

Cosponsors:

Position:

Priority:

Comment:

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: 04/03/24 - Returned to House clerk's desk.

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.

SB2956/HB1591 CRIMINAL LAW: Firearm storage penalties.

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

Summary: Creates an offense to store or keep a firearm in any place unless the firearm is secured in a locked container, unloaded, and separate from ammunition so as to render the firearm inoperable by any person other than the owner or another lawfully authorized user except when the firearm is carried by or under the control of the owner or other lawfully authorized user. Exempts a juvenile who is knowingly in a mental health crisis to use a defense to prosecution for illegally possessing a handgun.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 1, 2024) Increase Local Expenditures \$270,600/FY24-25 and Subsequent Years*

Intro Dates: H: 01/09/24

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

House Status: 04/02/24 - House Civil Justice Subcommittee took no action.

Executive Status:

Public Chapter:

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

AG Opinion:

Cosponsors:

<p><i>Position:</i></p> <p><i>Priority:</i></p> <p><i>Comment:</i></p>
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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: 04/03/24 - Returned to House clerk's desk.

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: 04/03/24 - Returned to House clerk's desk.

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.

SB2959/HB1594 CRIMINAL LAW: Extreme risk protection order by courts.

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

Summary: Allows a court to issue an extreme risk protection order upon a finding by clear and convincing evidence that a person poses a significant danger of causing personal injury to the person or others if allowed to possess or purchase a firearm. Authorizes a law enforcement officer, relative, or school administrator to petition for the extreme risk protection order. Requires training for law enforcement officers on how to petition for an extreme risk protection order. Requires the department of safety to develop a public awareness campaign to educate the public about extreme risk protection orders.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated March 3, 2024) Increase State Expenditures Exceeds \$240,000/FY24-25 \$369,500 Incarceration

Intro Dates: H: 01/09/24

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

House Status: 04/02/24 - House Civil Justice Subcommittee took no action.

Executive Status:

Public Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 38 and Title 39, Chapter 17, relative to extreme risk protection orders.

AG Opinion:

Cosponsors:

Position:

Priority:

Comment:

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: 04/03/24 - Returned to House clerk's desk.

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: CriminalSubAmendmentPacketRegCal03.19.24.pdf

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

Intro Dates: H: 01/09/24

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

House Status: 04/03/24 - Returned to House clerk's desk.

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: 04/04/24 - Senate heard on first reading.

House Status:

Executive Status:

Public Chapter:

Caption:

AG Opinion:

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

Position:

Priority:

Comment:

HJR38 CRIMINAL LAW: Constitutional amendment - citizen's right to bear arms.



Rep. Reedy, Jay

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 clarify that citizens have a right to keep and bear arms for their defense, and not just for common defense.

Amendment Summary: House Civil Justice Committee amendment 1 (003864) proposes amending Article I, Section 26 of the Constitution of Tennessee by removing the provision that the Legislature has the power to regulate the wearing of arms with a view to prevent crime and by clarifying that the citizens of this State have a right to keep, bear, and wear arms.

Subcommittee Amendments: Civil_Justice_Sub_Amendment_02.21.2023.pdf

Fiscal Note:

Intro Dates:

Senate Status:

House Status: 04/03/24 - Set for House Finance, Ways & Means Subcommittee 04/10/24.

Executive Status:

Public Chapter:

Caption:

AG Opinion:

Cosponsors: Rep. Sparks, Mike; Rep. Todd, Chris;

Position: Support

Priority:

Comment: TFA is expecting an amendment to this bill and if amended TFA supports the amendment that would say simply that citizens have a right to keep, bear and wear arms.

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: 04/01/24 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

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

Executive Status:

Public Chapter:

Caption:

AG Opinion:

Cosponsors: Rep. Faison, Jeremy; Rep. Lamberth, William; Rep. Reedy, Jay; Sen. Stevens, John; 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.