



Bill Status Report

Tennessee Firearms Association Bill Status Report

SB130/HB175 **ENVIRONMENT & NATURE: Use of drones to locate and retrieve deer that have been wounded by hunters.**

●●●● ●● ○○○○○○ Sen. Walley, Page
●●●● ●● ○○○○○○ Rep. Darby, Tandy

Summary: Authorizes the Tennessee Fish and Wildlife Commission to promulgate rules or pass proclamations to authorize the use of unmanned aircraft, including drones, to locate and retrieve deer that have been wounded by hunters.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated January 18, 2025) NOT SIGNIFICANT

Senate Status: 02/26/25 - Senate Energy, Agriculture & Natural Resources Committee recommended. Sent to Senate Calendar Committee.

House Status: 03/05/25 - Set for House Agriculture & Natural Resources Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39 and Title 70, relative to the use of unmanned aircraft for deer recovery when hunting.

AG Opinion:

Cosponsors:

Position: Amend

Priority: 3 - Third-tier

Comment: The bill specifically references "deer." It should likely be amended to include the search for or recovery of game or injured animal. Why, for example, limit this to deer when it just as easily could be elk, bear, exotics, waterfowl, etc.? Also, why is it limited to those animals wounded while lawfully engaged in hunting? Are there other reasons (e.g., road injuries) that should allow for such search and location?

SB163/HB468 CRIMINAL LAW: Increases penalty for reckless endangerment.

●●○○○○○○○○○○ Sen. Hensley, Joey
●●○○○○○○○○○○ Rep. Reeves, Lee

Summary: increases the penalty for reckless endangerment when the offense is committed by discharging a firearm or antique firearm into a motor vehicle from a Class E felony to a Class C felony, if the motor vehicle is occupied, or a Class D felony, if the motor vehicle is unoccupied.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated January 24, 2025) STATE GOVERNMENT EXPENDITURES Incarceration \$84,700

Senate Status: 01/27/25 - Referred to Senate Judiciary Committee.

House Status: 03/05/25 - Set for House Criminal Justice Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1, relative to reckless endangerment.

AG Opinion:

Cosponsors: Rep. McCalmon, Jake; Rep. Powers, Dennis;

Position: Oppose

Priority:

Comment: This bill does not appear to have any reason behind the proposal of materially increasing the classification of felonies from one grade to a higher grade. This may be a bill brought to allow prosecutors to increase the risk of going to trial for a defendant merely as a means of negotiating plea bargains.

SB206/HB646 ENVIRONMENT & NATURE: Use of certain colors while hunting.



Sen. Massey, Becky
Rep. Carringer, Michele

Summary: Authorizes persons big game hunting to substitute daylight fluorescent pink for fluorescent orange. Requires the color to be at least 500 square inches and visible from the front and back.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated January 24, 2025) NOT SIGNIFICANT

Senate Status: 03/07/25 - Set for Senate Consent 2 03/10/25.

House Status: 03/05/25 - Set for House Agriculture & Natural Resources Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39 and Title 70, relative to the use of certain colors while hunting.

AG Opinion:

Cosponsors:

<i>Position:</i>	Oppose
<i>Priority:</i>	
<i>Comment:</i>	Appears to be a caption bill.

SB218/HB33 CRIMINAL LAW: Not being released on personal recognizance.



Sen. Taylor, Brent
Rep. Gillespie, John

Summary: Establishes a presumption that a defendant should not be released on the defendant's personal recognizance if the defendant is charged with an offense that involved the use or display of a firearm or resulted in the serious bodily injury or death of the victim. Requires a magistrate who determines that the presumption has been rebutted to include in the bail order written findings for each factor considered in making such a determination.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated January 23, 2025) OTHER FISCAL IMPACT Passage of the proposed legislation may result in an increase in local incarceration expenditures; however, the precise timing and impact is dependent on multiple unknown factors and cannot be determined with reasonable certainty.

Senate Status: 03/04/25 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

House Status: 03/05/25 - Set for House Judiciary Committee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 40, relative to pretrial release for certain offenses.

AG Opinion:

Cosponsors:

Position: Oppose

Priority: 2 - Second-tier

Comment: This bill would create a "presumption that a defendant should not be released on the defendant's personal recognizance if the defendant is charged with an offense that involved the use or display of a firearm or resulted in the serious bodily injury or death of the victim." Note that it could apply, as written, to individuals charged with nothing more than "gun free zone" violations or "carry with intent to go armed" violations. Whatever the sponsors' intent, this bill goes too far.

SB221/HB34 CRIMINAL LAW: Use of juvenile court records.



Sen. Taylor, Brent
Rep. Gillespie, John

Summary: Permits a court to use juvenile court records, including the disposition and evidence, in pretrial reports used to set bond for criminal offenses. Requires the magistrate to consider the defendant's prior juvenile record in determining the defendant's risk of danger to the community.

Amendment Summary: Senate amendment 1 (003523) authorizes a court to use juvenile court records, including the disposition of a child and evidence adduced in a hearing, in pretrial reports used to set bonds if the juvenile court adjudication occurred within the previous five years. Requires, in determining the amount of bail necessary to reasonably assure the appearance of a defendant and the public's safety, a magistrate to consider the defendant's prior juvenile record. House Judiciary Committee amendment 1 (004207) authorizes a court to use juvenile court records, including the disposition of a child and evidence adduced in a hearing, in pretrial reports used to set bonds if the juvenile court adjudication occurred within the previous five years. Requires, in determining the amount of bail necessary to reasonably assure the appearance of a defendant and the public's safety, a magistrate to consider the defendant's prior juvenile record. Requires all files and juvenile court records, including medical reports, psychological evaluations, and any other document relating to a person, to be subject to disclosure and opened to public inspection if the person has committed a homicide on school grounds and is deceased.

Subcommittee HB0034_(004207).pdf

Amendments:

Fiscal Note: (Dated February 6, 2025) OTHER FISCAL IMPACT Passage of the proposed legislation may result in an increase in local incarceration expenditures; however, the precise timing and impact is dependent on multiple unknown factors and cannot be determined with reasonable certainty.

Senate Status: 03/03/25 - Senate passed with amendment 1 (003523).

House Status: 03/05/25 - Set for House Finance, Ways & Means Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 37 and Title 40, relative to juvenile records.

AG Opinion:

Cosponsors: Sen. Rose, Paul;

Position:

Priority:

Comment:

SB243/HB588 CRIMINAL LAW: Creates a Class E felony offense for altering or defacing a permanent distinguishing number on a firearm.

●●●●○○○○○○○ Sen. Bailey, Paul
●●○○○○○○○○○ Rep. Butler, Ed

Summary: Creates a Class E felony for altering or defacing a permanent distinguishing number on a firearm and selling, purchasing, or possessing such a firearm with a mandatory minimum sentence of 180 days incarceration. Broadly captioned.

Amendment Summary: Senate Judiciary Committee amendment 1 (004375) enhances the penalty, from a Class A misdemeanor to a Class E felony with a minimum of 180 days incarcerated, for the offense of knowingly and with the intent to conceal or misrepresent the identity of an item, to: (1) alter, cover, deface, destroy, obliterate, or remove the permanent importer's or manufacturer's serial number required by federal law on the barrel, frame, or receiver of the weapon, manufacturer's identification plate, or another permanent distinguishing number; or (2) sell, purchase, or possess such an item, if the item is a firearm or antique firearm.

Subcommittee Amendments: HB0588_Amendment (004375).pdf

Fiscal Note: (Dated January 23, 2025) STATE GOVERNMENT EXPENDITURES Incarceration \$107,500 LOCAL GOVERNMENT EXPENDITURES Mandatory FY25-26 & Subsequent Years (\$8,000)

Senate Status: 03/04/25 - Senate Judiciary Committee recommended with amendment 1 (004375). Sent to Senate Finance.

House Status: 03/05/25 - Set for House Criminal Justice Subcommittee 03/12/25.

Executive Status:

Public Chapter:

Caption:

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

AG Opinion:

Cosponsors:

Position: Oppose

Priority:

Comment: Proposal violates 2nd Amendment as applied by Bruen, Heller and McDonald. This issue is actually on appeal to the US Supreme Court in *Price v. US* (see, <https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/24-5937.html>)

Further, the bill, as amended, still creates problems. For example, it states that its a crime to " (A) Alter, cover, deface, destroy, obliterate, or remove the permanent importer's or manufacturer's serial number required by federal law on the barrel, frame, or receiver of the weapon, manufacturer's identification plate, or another permanent distinguishing number from a firearm or antique firearm." How would that language apply to individuals who, for example, "cover" the serial number when they install camo sleeves for hunting purposes or they attach accessories to a firearm that happen to "cover" the serial number? Does that put the burden on the owner to defend a felony charge?

SB256/HB601 CRIMINAL LAW: Request for post-conviction relief.



Sen. Gardenhire, Todd

Rep. Freeman, Bob

Summary: Establishes a procedure through which a district attorney general or person convicted of a criminal offense may, at any time, request post-conviction relief by filing a verified petition alleging actual innocence based on new evidence that was not known by the judge or jury at the time of conviction, including scientific and non-scientific evidence. Specifies that the clerk shall not charge a fee for the filing of such petition. Requires the petition to include allegations of fact supporting each claim for relief and requires the petition and any amended petition to be verified under oath.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 03/05/25 - Set for Senate Judiciary Committee 03/11/25.

House Status: 02/05/25 - Referred to House Criminal Justice Subcommittee.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 40, relative to post-conviction relief.

AG Opinion:

Cosponsors:

Position:

Priority:

Comment:

SB379/HB514 CRIMINAL LAW: TACIR study on the impact of state's firearm laws on each county's firearm sales.

●●○○○○○○○○○○ Sen. Walley, Page
●●○○○○○○○○○○ Rep. Gillespie, John

Summary: Directs the Tennessee advisory commission on intergovernmental relations (TACIR) to conduct a study on how firearm sales, criminal offenses, and use of firearms in self-defense are impacted by this state's firearm laws in regard to each county and must identify any similarities or dissimilarities. Requires the TACIR to report its findings to every member of the general assembly and provide a copy of its report to the legislative librarian no later than January 1, 2026.

Amendment Summary: House Judiciary Committee amendment 1 (003361) requires the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to conduct a study of how this state's firearm laws impact the following in regard to each county: (1) firearm sales; (2) criminal offenses; and (3) use of firearms for self-defense. Requires TACIR to report its findings to each member of the General Assembly and provide a copy of the study to the Legislative Librarian by July 1, 2026.

Subcommittee HJUDCRIM_2025-02-28.pdf

Amendments:

Fiscal Note: (Dated February 12, 2025) NOT SIGNIFICANT

Senate Status: 02/12/25 - Referred to Senate Judiciary Committee.

House Status: 03/05/25 - Set for House Finance, Ways & Means Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 37; Title 38; Title 39 and Title 40, relative to firearms.

AG Opinion:

Cosponsors:

Position:

Priority:

Comment:

SB388/HB358 CRIMINAL LAW: Global positioning monitoring as a condition of release.

●●○○○○○○○○○○ Sen. Taylor, Brent
●●○○○○○○○○○○ Rep. Hardaway, G.A.

Summary: Requires a court or magistrate to order a defendant to wear a global positioning monitoring system device as a condition of bail unless the court or magistrate no longer finds the offender a threat to the alleged victim or public safety if the defendant was arrested for an offense during which the defendant possessed a firearm or used force against a person, domestic assault, burglary of a freight or passenger car, reckless driving, drag racing, or second offenses of burglary or theft. Requires the clerk of each court that orders the use of global positioning monitoring to report the number of defendants currently subject to the order and their offenses to the administrative office of the courts monthly. Requires the administrative office of the courts to compile an annual report of the number of defendants subjected to the order.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated February 18, 2025) STATE GOVERNMENT EXPENDITURES General Fund Electronic Monitoring Indigency Fund FY25-26 \$290,500 \$385,000 FY26-27 & Subsequent Years - \$385,000 LOCAL GOVERNMENT EXPENDITURES Mandatory FY25-26 \$475,000 FY26-27 & Subsequent Years \$385,000 Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.

Senate Status: 02/12/25 - Referred to Senate Judiciary Committee.

House Status: 03/05/25 - Set for House Criminal Justice Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39; Title 40; Title 55; Chapter 969 of the Public Acts of 2024 and Chapter 1033 of the Public Acts of 2024, relative to global positioning monitoring.

AG Opinion:

Cosponsors:

Position:
Priority:
Comment:

SB441/HB478 CRIMINAL LAW: Carrying of a firearm into an area where firearms are not permitted.

●●○○○○○○○○○○ Sen. Bailey, Paul
●●○○○○○○○○○○ Rep. Butler, Ed

Summary: Specifies that a person does not commit an offense if the person possesses or carries a firearm into an area that is posted if, upon the request of an individual authorized to control access to the property, the person immediately leaves the property or stores the firearm in a personal vehicle in accordance with state law.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 02/12/25 - Referred to Senate Judiciary Committee.

House Status: 03/05/25 - Set for House Criminal Justice Subcommittee 03/12/25.

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. Atchley, Fred; Rep. Barrett, Jody; Rep. Capley, Kip; Rep. Doggett, Clay; Rep. McCalmon, Jake; Rep. Moody, Debra; Rep. Powers, Dennis; Rep. Scarbrough, Rick; Rep. Slater, William;

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

SB521/HB907 CRIMINAL LAW: Law enforcement investigatory privilege.

●●○○○○○○○○○○ Sen. Roberts, Kerry
●●○○○○○○○○○○ Rep. Garrett, Johnny

Summary: Creates a law enforcement investigatory privilege. Prohibits a subpoena from being issued for a civil or criminal proceeding for information protected by the law enforcement privilege.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 02/12/25 - Referred to Senate Judiciary Committee.

House Status: 03/05/25 - Set for House Criminal Justice Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 24, Chapter 1, Part 2 and Title 40, Chapter 17, Part 1, relative to law enforcement investigatory privilege.

AG Opinion:

Cosponsors:

Position: Oppose

Priority:

Comment: As a general policy, TFA (a plaintiff in the open records case to obtain the Covenant shooter's manifesto) opposes all efforts by legislators and government officials to further conceal or put roadblocks in place to prohibit citizens from accessing public records.

SB662/HB625 HEALTH CARE: Mental health evaluations for persons charged with certain criminal offenses.

●●○○○○○○○○○○ Sen. Akbari, Raumesh
●●○○○○○○○○○○ Rep. Hardaway, G.A.

Summary: Establishes a rebuttable presumption that a person poses an immediate substantial likelihood of serious harm and needs emergency detention if the person is charged with a crime that would require the defendant to serve at least 85% of the sentence before becoming eligible for release from incarceration and ordered by the criminal, circuit, or general sessions court to undergo an evaluation to determine if the person is incompetent to stand trial. .

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated February 17, 2025) STATE GOVERNMENT EXPENDITURES General Fund FY26-27 & Subsequent Years >\$797,900

Senate Status: 02/12/25 - Referred to Senate Judiciary Committee.

House Status: 03/05/25 - Set for House Criminal Justice Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 40 and Title 52, relative to mental health evaluations.

AG Opinion:

Cosponsors:

Position: Oppose

Priority:

Comment: As a general rule, TFA opposes proposals to create rebuttable presumptions that operate against the rights of individuals who have been accused but not convicted of a criminal offense.

SB814/HB933 EDUCATION: Artificial intelligence weapons detection systems grant program for LEAs.



Sen. Gardenhire, Todd
Rep. Parkinson, Antonio

Summary: Requires the department to establish and administer a three-year artificial intelligence weapons detection system grant pilot program to award grants to eligible LEAs for the purchase of artificial intelligence weapons detection systems for schools without an artificial intelligence weapons detection system. Broadly captioned.

Amendment Summary: Senate Education Committee amendment 1 (003778) requires the Department of Education (DOE) to establish and administer a three-year artificial intelligence (A.I.) weapons detection system grant pilot program to award grants to eligible local education agencies (LEAs) for the purchase of A.I. weapons detection systems for each public high school managed and controlled by the eligible LEA's local board of education that does not have an A.I. weapons detection system. Establishes that the pilot program begins with the 2025-26 school year. Requires the DOE to determine the amount of each grant awarded and to disburse 100 percent of the funds appropriated to eligible LEAs each year of the pilot program. Requires the DOE to disburse any remaining grant funds to eligible LEAs for other school security measures approved by the DOE if, in any year of the pilot program, all public high schools managed and controlled by the local board of education for each eligible LEA have an A.I. weapons detection system. Requires the DOE to submit a report pursuant to the pilot program to the General Assembly by July 31, 2026, and by each July 31 thereafter until the pilot program terminates. Repeals this act on July 31, 2028.

Subcommittee

Amendments:

Fiscal Note: (Dated February 16, 2025) STATE GOVERNMENT EXPENDITURES General Fund FY25-26 >\$5,697,000 FY26-27 >\$4,267,000 FY27-28 >\$4,267,000 LOCAL GOVERNMENT REVENUE Permissive FY25-26 >\$5,680,000 FY26-27 >\$4,260,000 FY27-28 >\$4,260,000 EXPENDITURES Permissive FY25-26 >\$5,680,000 FY26-27 >\$4,260,000 FY27-28 >\$4,260,000 SB 814 - HB 933

Senate Status: 02/24/25 - Re-referred to Senate Calendar Committee.

House Status: 03/05/25 - Set for House Education Administration Subcommittee 03/11/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to school safety.

AG Opinion:

Cosponsors: Sen. Akbari, Raumesh; Rep. Love Jr., Harold; Sen. Powers, Bill;

Position:
Priority:
Comment:

SB859/HB931 CRIMINAL LAW: Self-defense - use of force intended or likely to cause death or serious bodily injury.

●●○○○○○○○○○ Sen. Taylor, Brent
●●○○○○○○○○○ Rep. Towns Jr., Joe

Summary: Specifies that a person using force intended or likely to cause death or serious bodily injury from within the person's residence or dwelling is presumed to have acted in self-defense when that force is used against an individual armed with a deadly weapon who is unlawfully present on the person's property and outside of the enclosed structure of the person's residence or dwelling.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated February 9, 2025) NOT SIGNIFICANT

Senate Status: 03/05/25 - Set for Senate Judiciary Committee 03/11/25.

House Status: 02/10/25 - Referred to House Criminal Justice Subcommittee.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11 and Title 40, relative to self-defense.

AG Opinion:

Cosponsors:

<i>Position:</i>	Neutral
<i>Priority:</i>	
<i>Comment:</i>	Monitor for amendments

SB957/HB1082 CRIMINAL LAW: Class E felony - automatic weapons.

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

Summary: Creates a Class E felony for the possession, manufacture, transport, repair, or sale of a switch or auto sear device designed, made, or adapted for the purpose of converting a weapon to shoot automatically more than one shot, without manual reloading, by a single function of the trigger unless certain exceptions apply.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 03/04/25 - Senate Judiciary Committee deferred to 04/01/25.

House Status: 02/11/25 - Referred to House Criminal Justice Subcommittee.

Executive

Status:

Public

Chapter:

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

AG Opinion:

Cosponsors:

Position: Oppose

Priority:

Comment: Proposal violates 2nd Amendment as applied by Bruen, Heller and McDonald.

SB1038/HB1060 ENVIRONMENT & NATURE: Fees for hunting and fishing licenses.

●●○○○○○○○○○○ Sen. Bowling, Janice
●●●○○○○○○○○○○ Rep. Howell, Dan

Summary: Increases the fee that county clerks and other agents are authorized to collect from purchases of hunting and fishing licenses from \$1.00 to \$3.00 for annual licenses and \$.50 to \$3.00 for temporary licenses.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 02/12/25 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status: 03/05/25 - Set for House Agriculture & Natural Resources Committee 03/11/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Section 70-2-106, relative to agent fees.

AG Opinion:

Cosponsors:

Position:

Priority:

Comment:

SB1075/HB1093 CRIMINAL LAW: Hearing on suspension or revocation of person's handgun carry permit - notice.

●●○○○○○○○○○○ Sen. Johnson, Jack
●●○○○○○○○○○○ Rep. Sexton, Cameron

Summary: Extends, from 10 to 15 days, the amount of written notice of the hearing date and time the department must provide to a person requesting a hearing on the department's suspension or revocation of the person's handgun carry permit. Broadly captioned.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note: (Dated February 7, 2025) NOT SIGNIFICANT

Senate Status: 02/12/25 - Referred to Senate Judiciary Committee.

House Status: 03/05/25 - Set for House Criminal Justice Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

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

AG Opinion:

Cosponsors:

Position: Neutral

Priority:

Comment: Monitor as caption bill.

Monitor based on combination of sponsors.

SB1082/HB578 CRIMINAL LAW: Offense of possessing a firearm or antique firearm during commission or attempt to commit a dangerous felony.

●●○○○○○○○○○○ Sen. Johnson, Jack
●●●○○○○○○○○○○ Rep. Doggett, Clay

Summary: Adds certain criminal offenses, including first degree murder, second degree murder, and reckless homicide to the list of dangerous felonies for purposes of the offense of possessing a firearm or antique firearm during commission or attempt to commit a dangerous felony.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 02/12/25 - Referred to Senate Judiciary Committee.

House Status: 03/05/25 - Set for House Judiciary Committee 03/12/25.

Executive

Status:

Public

Chapter:

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

AG Opinion:

Cosponsors: Rep. Lamberth, William; Rep. Powers, Dennis;

Position: Oppose

Priority: 1 - Top-tier

Comment: The bill recklessly adds a lot of additional crimes as "dangerous" to an existing list.

For example, the bill adds "reckless homicide" TCA 39-13-215 as a "dangerous felony". The result is that if someone "possesses" a firearm with the intent to go armed (which we believe is a standard that violates the Supreme Court decision in Bruen) at the time of the offense then the person gets as an additional crime or sentence of from 3 to 10 years in prison with no parole.

Consider, for example, the case of an individual ho was convicted of reckless homicide, a Class D felony. The facts involved a car wreck in which two occupants of the other vehicle died. However, TN and federal law are clear that in Tennessee a "reckless homicide" is a nonviolent felony. Indeed, at least one Tennessee appellate court and one federal court have reached the same conclusion:

/quote/

We decline, however, to characterize reckless homicide as a crime of violence because it requires reckless conduct rather than intentional or knowing conduct. See *United States v. Portela*, 469 F.3d 496, 499 (6th Cir.2006) (holding that Tennessee's vehicular assault statute, with the requisite mens rea of recklessness, was not a crime of violence under the United States Sentencing Guidelines). Because the defendant's reckless homicide conviction was not a violent felony, we decline to weigh it more heavily against his credibility than other non-violent felonies.

//endquote//

See, *State v. Parham*, 2010 WL 2898785, at *8 (Tenn.Crim.App.,2010)

This legislation seeks to elevate a non-violent felony conviction to a "dangerous felony" – a term that suggests at a minimum that there be some mens rea that would warrant a finding of knowing or intentional violence as opposed to recklessness.

Further, under the legislation if the individual had a firearm in their possession, e.g., a longarm for which there are few affirmative defenses under TN law, such that it qualified under the "intent to go armed" clause then a person committing a nonviolent felony which the state established was reckless but not either intentional nor knowing would be sentenced from 3 to 10 years in prison even if the normal consequence of the sentencing statutes called for no prison time at all for the underlying crime.

SB1140/HB918 ENVIRONMENT & NATURE: Issuance of temporary hunting licenses for disabled veterans.

●●○○○○○○○○○ Sen. Crowe, Rusty
●●○○○○○○○○○ Rep. Slater, William

Summary: Requires issuance of temporary hunting licenses, of up to seven-days duration and at no cost, to disabled veterans participating in hunting experiences sponsored and paid for by not-for-profit organizations. Broadly captioned.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 03/06/25 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/12/25.

House Status: 03/05/25 - Set for House Agriculture & Natural Resources Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 58 and Title 70, relative to hunting licenses for disabled veterans participating in hunts sponsored by not-for-profit organizations.

AG Opinion:

Cosponsors: Rep. Barrett, Jody; Rep. Fritts, Monty; Sen. Southerland, Steve;

Position:

Priority:

Comment:

SB1244/HB1210 FAMILY LAW: Respondent who transfers a firearm to a third party.

●●●○○○○○○○○○ Sen. Massey, Becky
●●●○○○○○○○○○ Rep. Keisling, Kelly

Summary: Requires, if the respondent on an order of protection dispossesses firearms by transferring possession to a third party who is not prohibited from possessing firearms, the respondent to specify the third party and the physical address where all firearms are located on the affidavit of firearms dispossession form. Requires the third party to sign the affidavit of firearms dispossession form to acknowledge receipt of the firearms.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 03/05/25 - Set for Senate Judiciary Committee 03/11/25.

House Status: 02/12/25 - Referred to House Civil Justice Subcommittee.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 3, Part 6, relative to domestic violence.

AG Opinion:

Cosponsors:

Position: Oppose

Priority:

Comment: This legislation is a step toward creating a database of transfers of firearms to specific individuals and storage locations. It is not even clear whether the legislation protects that information from open records requests.

SB1296/HB1314 CRIMINAL LAW: Criminal offenses for threatening to commit an act of mass violence and posting an individual's number or address.

●●○○○○○○○○○○ Sen. Johnson, Jack
●●○○○○○○○○○○ Rep. Lamberth, William

Summary: Creates a criminal offense for threatening to commit an act of mass violence. Creates a criminal offense for posting on a publicly accessible website the telephone number or home address of an individual with the intent of causing harm or a threat of harm to the individual or a member of the individual's family or household. Part of Administration Package.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 02/10/25 - Referred to Senate Judiciary Committee.

House Status: 03/05/25 - Set for House Criminal Justice Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 8 and Title 39, Chapter 17, Part 3, relative to criminal offenses.

AG Opinion:

Cosponsors: Rep. Cochran, Mark;

Position: Oppose

Priority:

Comment: Apparent caption bill.

SB1348/HB1392 CRIMINAL LAW: Offense of unlawfully carrying a firearm with intent to go armed.

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

Summary: Deletes the exception to the criminal offense of unlawfully carrying a firearm with intent to go armed for persons who lawfully possess a handgun, are in a place where the person is lawfully present, and are at least 21 years old or 18 years old with certain military service. Broadly captioned.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 02/10/25 - Referred to Senate Judiciary Committee.

House Status: 03/05/25 - Set for House Criminal Justice Subcommittee 03/12/25.

Executive

Status:

Public

Chapter:

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

AG Opinion:

Cosponsors:

Position: Oppose

Priority:

Comment: Proposal violates 2nd Amendment as applied by Bruen, Heller and McDonald.

SB1384/HB683 PROFESSIONS & LICENSURE: Creates the enhanced armed guard certificate.



Sen. Watson, Bo
Rep. Lamberth, William

Summary: Creates the enhanced armed guard certificate that may be obtained upon completion of certain training and other requirements by an armed security guard/officer who has at least five years of full-time experience as a law enforcement officer or four years of active duty military experience in a combat arms military occupational specialty. Directs the commissioner of commerce and insurance to establish and approve an enhanced armed guard training course. Specifies that the enhanced armed guard training course be offered no less than quarterly and be at least 16 hours in length. Also requires the enhanced armed guard training to include must also include scenario-based training on when a rifle-caliber weapon may be deployed in an offensive or defensive posture and training on the secure storage of a rifle-caliber weapon when the weapon is not deployed.

Amendment Summary: House Commerce Committee amendment 1 (004376) creates a new registration enhancement to be issued by the Department of Commerce and Insurance (DCI) to an eligible armed guard. Requires applicants for the registration enhancement to: (1) hold a current registration card as an armed security guard issued by DCI in good standing; (2) have at least five years of full-time experience as a law enforcement officer and be in good standing if retired or separated from the employing law enforcement agency, or have at least four years of active duty military experience in a combat arms occupational specialty and be in good standing if either retired or separated from the armed forces with an honorable discharge; (3) pass a fingerprint history background check and psychological evaluation, and; (4) complete a written examination and an approved in-person training course. Authorizes an enhanced armed guard to carry and deploy a rifle or shotgun, provided the guard is certified to carry the weapon and adheres to certain other requirements. Requires the Commissioner of DCI to approve an enhanced armed guard training course. Requires the course approved to be offered at least quarterly for at least 16 hours in duration and to include specific training relative to a rifle or shotgun. Requires the Commissioner of DCI to issue a registration enhancement to an applicant upon verification that the applicant meets all of the requirements and upon payment of all registration fees. Requires a valid registration enhancement to be renewed annually by submitting to a criminal background check and by completing an annual requalification course, approved by the commissioner, that is at least eight hours in duration, of which at least 6 hours consist of rifle and shotgun training and qualification on a weapon range. Effective January 1, 2026.

Subcommittee

Amendments:

Fiscal Note: (Dated February 17, 2025) STATE GOVERNMENT POST REVENUE TBI STS Commission FY25-26 \$14,700 \$1,700 \$11,500 FY26-27 & Subsequent Years \$23,100 \$3,400 - EXPENDITURES POST Commission FY25-26 \$1,105,400 FY26-27 & Subsequent Years \$673,800 Total Positions Required: 7

Senate Status: 02/10/25 - Introduced in the Senate

House Status: 03/05/25 - Set for House Government Operations Committee 03/10/25.

Executive

Status:

Public

Chapter:

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 39 and Title 62, Chapter 35, relative to private protective services.

AG Opinion:

Cosponsors: Rep. Powers, Dennis;

Position:

Priority:

Comment:

SJR25 CRIMINAL LAW: Constitutional amendment - right to bail.

●●●●●○○○○○○○ Sen. Johnson, Jack
○○○○○○○○○○○○○

Summary: Removes the right to bail when the proof is evident or the presumption is great for the following offenses: act of terrorism, second degree murder, aggravated rape of a child, aggravated rape, grave torture, or any other offense for which a defendant could not be released prior to the expiration of at least 85% of the entire sentence.

Amendment

Summary:

Subcommittee

Amendments:

Fiscal Note:

Senate Status: 03/07/25 - Set for Senate Floor 03/10/25.

House Status:

Executive

Status:

Public

Chapter:

Caption:

AG Opinion:

Cosponsors:

Position: Oppose

Priority:

Comment: