

SENATE BILL 242

By Campfield

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13; Title 49, Chapter 6 and Title 49, Chapter 7, relative to the possession and carrying of weapons on school property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-1309, is amended by adding the following new subsection thereto:

(f)

(1) Subsections (b) and (c) do not apply to a person employed by a state institution of higher education as a faculty or staff member if:

(A) The person is authorized to possess and carry a firearm pursuant to § 39-17-1351;

(B) The person receives any applicable training required by the state institution of higher education in which the person is employed pursuant to § 49-7-118(b), including, but not limited to, the training requirements of the peace officers standards and training commission;

(C) No campus police officer, as defined by § 49-7-118(h), or public safety officer, as defined by § 49-7-118(h), is stationed in the building in which the person is or will be performing duties within the scope of such person's employment; and

(D) The person is possessing and carrying a handgun at the state institution of higher education in which such person is employed and while such person is performing duties within the scope of such person's employment.

(2)

(A) Any state institution of higher education may elect to prohibit persons authorized to carry a handgun pursuant to subdivision (f)(1), from possessing and carrying a handgun while in such state institution of higher education. If the state institution elects to prohibit the possession of handguns pursuant to subdivision (f)(1), the prohibition shall apply to the entire institution and the institution shall provide prior notice to all faculty and staff members employed at such institution.

(B) Any state institution of higher education that prohibits persons from possessing and carrying a handgun pursuant to subdivision (f)(2)(A) shall be civilly liable for any damages, personal injury, or death resulting from a criminal act by any person not authorized to be in any building, campus, or grounds owned, used or operated by such institution of higher education in which the prohibition was in effect.

(3) For purposes of this subsection (f), "state institution of higher education" means any postsecondary institution operated by the board of trustees of the University of Tennessee system or the board of regents of the state university, community college and area technology center system that offers courses of instruction leading to a certificate or degree.

SECTION 2. This act shall take effect July 1, 2103, the public welfare requiring it and shall apply to the 2013/2014 school year and each school year thereafter.