

HOUSE BILL 1748

By Matheny

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11, Part 1; Title 39, Chapter 17, Part 13; Title 50 and Title 70, relative to the definition, possession, and carrying of firearms.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-1307, is amended by adding the following new subsection:

(g)

(1) Any person meeting the requirements of this subsection may carry any legally possessed handgun openly or concealed, loaded or unloaded.

(2) For this subsection to apply, the person must:

(A) Be at least twenty-one (21) years of age; and

(B) Not be prohibited pursuant to § 39-17-1316, or any other applicable state law, from purchasing, receiving, or possessing a firearm as defined in § 39-11-106.

(3) Carrying a handgun pursuant to this subsection (g) shall not constitute reasonable suspicion or probable cause to believe the person is violating any law, rule, or ordinance.

SECTION 2. Tennessee Code Annotated, Section 39-17-1308, is amended by deleting the language:

(a) It is a defense to the application of § 39-17-1307 if the possession or carrying was:

and substituting instead the following:

(a) It is an exception to the application of § 39-17-1307 if the possession or carrying was:

SECTION 3. Tennessee Code Annotated, Section 39-17-1308, is amended by deleting from subsection (b) the word "defenses" and substituting instead the word "exceptions".

SECTION 4. Tennessee Code Annotated, Section 39-17-1308, is amended by deleting subdivision (a)(2) and substituting instead the following:

(2) By a person authorized to possess or carry a firearm pursuant to § 39-17-1315, or a person authorized to possess or carry a handgun pursuant to § 39-17-1307(g) or § 39-17-1351;

SECTION 5. Tennessee Code Annotated, Section 39-17-1309, is amended by deleting from subdivision (e)(8) the language "pursuant to § 39-17-1351" and substituting instead the language "pursuant to § 39-17-1307(g) or § 39-17-1351".

SECTION 6. Tennessee Code Annotated, Section 39-17-1311, is amended by deleting from subdivisions (b)(1)(H)(i) and (l) the language "pursuant to § 39-17-1351" and substituting instead the language "pursuant to § 39-17-1307(g) or § 39-17-1351".

SECTION 7. Tennessee Code Annotated, Section 39-17-1311, is amended by deleting from subdivision (b)(1)(H)(ii) the language "permit holder" and substituting instead the language "permit holder or person authorized to carry pursuant to § 39-17-1307(g)".

SECTION 8. Tennessee Code Annotated, Section 39-17-1313, is amended by adding the following as a new subsection:

(e) This section shall also apply to a person authorized to carry a handgun pursuant to § 39-17-1307(g).

SECTION 9. Tennessee Code Annotated, Section 39-17-1359, is amended by deleting subdivision (a)(2) and substituting instead the following:

(2) The prohibition in subdivision (a)(1) shall apply to any person who is authorized to carry a firearm by authority of § 39-17-1307(g) or § 39-17-1351.

SECTION 10. Tennessee Code Annotated, Section 50-3-201, is amended by deleting from subsection (d) the language "allowing persons with handgun permits to carry a handgun on such property" and substituting instead the language "allowing persons authorized to carry a handgun pursuant to § 39-17-1307(g) or § 39-17-1351 on such property".

SECTION 11. Tennessee Code Annotated, Section 70-4-117, is amended by deleting from subsection (d) the language "Notwithstanding subsection (a), a person with a handgun carry permit pursuant to § 39-17-1351 may possess a handgun the entire year" and substituting instead the language "Notwithstanding subsection (a), a person authorized to carry a handgun pursuant to § 39-17-1307(g) or § 39-17-1351 may possess a handgun the entire year".

SECTION 12. Tennessee Code Annotated, Section 70-4-123, is amended by deleting from subsection (a) the language "§ 39-17-1351" and substituting instead the language "§ 39-17-1307(g) or § 39-17-1351".

SECTION 13. Tennessee Code Annotated, Section 70-5-101, is amended by deleting from subsection (c) the language "a person with a handgun carry permit pursuant to § 39-17-1351" and substituting instead the language "a person authorized to carry a handgun pursuant to § 39-17-1307(g) or § 39-17-1351".

SECTION 14. Tennessee Code Annotated, Section 39-11-106(11), is amended by deleting the semicolon (;) and substituting instead the language "but does not include an "antique firearm" as defined in 18 U.S.C. § 921(a)(16);".

SECTION 15. This act shall take effect upon becoming a law, the public welfare requiring it.