

HOUSE BILL 1593

By Pearson

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.

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

SECTION 1. This act is known and may be cited as the "Keeping our Streets Safe: Expand Background Checks Act."

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Family member" means a spouse, parent, grandparent, sibling, child, or grandchild, whether the relationship is by blood, marriage, or adoption; and

(2) "Gun dealer" means a person engaged in the business, as defined in 18 U.S.C. § 921, of selling, leasing, or otherwise transferring a firearm, whether the person is a retail dealer, pawnbroker, or otherwise.

(b) A person shall not sell or transfer ownership of a firearm, or purchase or obtain ownership of a firearm, unless one (1) of the following applies:

(1) The seller or transferor is a gun dealer;

(2) The seller or transferor makes the sale or transfer to or through a gun dealer and obtains a receipt;

(3) The sale or transfer of ownership of the firearm is one (1) of the following:

(A) A firearm classified as an antique firearm under 18 U.S.C. § 921;

(B) A transfer of a firearm between gun dealers or between wholesalers and dealers; or

(C) A transfer of any firearm to a law enforcement or military agency;

(4) The transferor is transferring ownership of the firearm to a family member by gift, bequest, or inheritance; the transferee is not prohibited from possessing a firearm under this part; and the transferee is at least eighteen (18) years of age; or

(5) The transferor is transferring ownership of the firearm with the intent that the transfer be temporary, neither the transferor nor the transferee is prohibited from possessing a firearm under this part, and the purpose of the transfer is not prohibited by law.

(c) Any person who intentionally violates subsection (b) commits a Class B misdemeanor and shall be fined not less than five hundred dollars (\$500) nor more than ten thousand dollars (\$10,000) and may be imprisoned for a period not to exceed nine (9) months. A person convicted under this section is prohibited from possessing a firearm for a period of two (2) years.

SECTION 3. Tennessee Code Annotated, Section 16-10-213(b), is amended by deleting "as soon as practicable, but no later than the third business day" and substituting "within seventy-two (72) hours".

SECTION 4. Tennessee Code Annotated, Section 16-11-206(b), is amended by deleting "as soon as practicable, but no later than the third business day" and substituting "within seventy-two (72) hours".

SECTION 5. Tennessee Code Annotated, Section 16-15-303(g)(2), is amended by deleting "as soon as practicable, but no later than the third business day" and substituting "within seventy-two (72) hours".

SECTION 6. Tennessee Code Annotated, Section 16-16-120(b), is amended by deleting "as soon as practicable, but no later than the third business day" and substituting "within seventy-two (72) hours".

SECTION 7. Tennessee Code Annotated, Section 18-4-103(9), is amended by deleting "as soon as practicable but no later than thirty (30) days" and substituting "within seventy-two (72) hours".

SECTION 8. Tennessee Code Annotated, Section 18-4-203(b)(4), is amended by deleting "as soon as practicable but no later than thirty (30) days" and substituting "within seventy-two (72) hours".

SECTION 9. Tennessee Code Annotated, Section 33-3-117(a), is amended by deleting "the third business day" wherever it appears and substituting "seventy-two (72) hours".

SECTION 10. Tennessee Code Annotated, Section 68-11-210(f)(2), is amended by deleting "the third business day" wherever it appears and substituting "seventy-two (72) hours".

SECTION 11. This act takes effect July 1, 2023, the public welfare requiring it.