

HOUSE BILL 170

By Matheny

AN ACT to amend Tennessee Code Annotated, Title 39 and Title 49, relative to permitting veterans to carry handguns on the property of certain postsecondary institutions.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-1309(e), is amended by adding the following language as a new subdivision:

(14)

(A) Veterans possessing a handgun, who are valid handgun carry permit holders pursuant to § 39-17-1351, while on property owned, operated, or controlled by a public institution of higher education;

(B)

(i) Any authorized veteran who elects to carry a handgun pursuant to this subdivision (e)(14) shall provide written notification to the law enforcement agency or agencies with jurisdiction over the property owned, operated, or controlled by the public institution of higher education;

(ii) The veteran's name, verification of the veteran's status by consulting the appropriate information on the DD214 form, or in a case of military service predating the year 1950, in consultation with appropriate information on the equivalent form or on other official documentation, or a written communication from the department of veterans services, and any other information that might identify the veteran as a person who has elected to carry a handgun pursuant to this subdivision (e)(14) shall be

confidential, not open for public inspection, and shall not be disclosed by any law enforcement agency with which a veteran registers; except that the veteran's name and other information may be disclosed to an administrative officer of the institution who is responsible for school facility security. An administrative officer to whom such information is disclosed shall not disclose the information to another person. Identifying information about the veteran collected pursuant to this subdivision (e)(14) shall not be disclosed to any person or entity other than another law enforcement agency and only for law enforcement purposes; and

(iii) Law enforcement agencies are authorized to develop and implement:

(a) Policies and procedures designed to implement the notification and confidentiality requirements of this subdivision (e)(14)(B); and

(b) A voluntary course or courses of special or supplemental firearm training to be offered to the veterans electing to carry a handgun pursuant to this subdivision (e)(14). Firearm safety shall be a component of any firearm course;

(C) Unless carrying a handgun is a requirement of the veteran's job description, the carrying of a handgun pursuant to this subdivision (e)(14) is a personal choice of the veteran and not a requirement of entering and remaining on the premises of the public institution of higher education. Consequently, a veteran who carries a handgun on property owned, operated, or controlled by the public institution of higher education is not:

(i) Permitted to carry a handgun openly, or in any other manner in which the handgun is visible to ordinary observation; or

(ii) Permitted to carry a handgun at the following times and at the following locations:

(a) Stadiums, gymnasiums, and auditoriums when school-sponsored events are in progress;

(b) In meetings regarding disciplinary matters;

(c) A hospital or an office where medical or mental health services are the primary services provided; and

(d) Any location where a provision of state or federal law, except the posting provisions of § 39-17-1359, prohibits the carrying of a handgun on that property;

(D) Notwithstanding any other law to the contrary, a public institution of higher education shall be absolutely immune from claims for monetary damages arising solely from or related to a veteran's use of, or failure to use, a handgun; provided, the veteran elects to carry the handgun pursuant to this subdivision (e)(14); and

(E) As used in this subdivision (e)(14), "veteran" means a former member of the United States armed forces or a former member of a reserve or Tennessee national guard unit who was called into active military service of the United States, as defined in § 58-1-102, and who served honorably, as defined in § 49-7-102.

(F) If the veteran is also an employee of a public institution of higher education, then the requirements of subdivisions (e)(11), (e)(12), or (e)(13) shall still apply.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.