

HOUSE BILL 894

By Pody

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 13, relative to handgun carry
permits.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following as a new section:

39-17-1349.

(a) In addition to the requirements of § 39-17-1351(e) regarding handgun safety course instruction, the department of safety shall promulgate rules that:

(1) State the qualifications, specifications, and application process for the licensing of handgun safety schools and instructors. Qualifications and specifications must not include classroom locations or configurations, range locations or configurations, or factors not directly related to the qualifications of instructors teaching the required course content;

(2) Provide for renewal of handgun safety school and instructor licenses every eight (8) years;

(3) Authorize at least ten (10) training programs for handgun safety schools and instructors and create a process for a school or instructor to submit an alternative training program for approval. If a proposed alternative training program is disapproved by the department, the department must state specifically the grounds for the disapproval and allow the applicant or third party at least sixty (60) days to respond. Such denials are subject to administrative review or mandamus proceedings, and the department has the burden of proof to

demonstrate that the applicant school or instructor is unqualified to teach the class;

(4) Designate at least three (3) commercially available types of targets for range qualifications, but provide that schools are authorized to use any target that is substantially similar in size to the approved commercial targets;

(5) Allow both in-state and out-of-state schools and instructors to be eligible for licensure, and provide that the classes and range training do not have to be conducted in this state;

(6) Set the school and instructor license fees at actual cost or twenty-five dollars (\$25.00), whichever is less;

(7) Define the minimum handgun training course curriculum, which must include safe use of a firearm, civilian use of deadly force, and current state law on when and where a civilian can carry a firearm;

(8) Ensure that the course curriculum can be taught without internet access or the use of a computer or other electronic means;

(9) Define a course of fire not to exceed fifty (50) rounds with at least twenty-five (25) being fired from a distance of three (3) yards or less and no rounds being fired from a distance of more than eight (8) yards; and

(10) Require schools or instructors to notify the department in advance of class dates and locations so that the department can attend and observe whether the minimum curriculum is being covered.

(b) The following shall not be required or regulated by the department:

(1) That students pass a written test on the classroom materials in order to complete the training class successfully. Successful completion is determined by the instructor's certification that the student completed the course and demonstrated both classroom knowledge and range proficiency in the opinion of the instructor;

(2) Supplemental materials or topics of instruction an instructor offers to students, if the materials or topics of instruction do not conflict with the required minimum curriculum;

(3) Supplemental materials being approved by the department;

(4) Limiting instructors to only four (4) hours of classroom instruction.

Instructors may teach classroom sessions in excess of four (4) hours in the instructor's discretion; and

(5) Where the class or range instruction is conducted or the conditions of the classroom or the firing range and related amenities.

SECTION 2. Tennessee Code Annotated, Section 39-17-1351(x)(2), is amended by adding the following language immediately after the first sentence in the subdivision:

A permit holder is eligible to convert an eight-year permit into a lifetime permit at any time the person is a valid permit holder by making application pursuant to this subsection (x).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.