

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 603

HOUSE BILL NO. 2193

By Representatives John DeBerry, Fincher, Hardaway, Kelsey, Todd, Moore, Shipley, Watson, Hackworth, Yokley, Stewart, Bass, Pitts, Ty Cobb, Coleman

Substituted for: Senate Bill No. 2115

By Senators Norris, Burks, Black, Yager

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 35, relative to prior convictions under the criminal sentencing reform act.

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

SECTION 1. Tennessee Code Annotated, Section 40-35-106, is amended by deleting subdivision (b)(4) and substituting instead the following:

(4) Except for convictions for which the statutory elements include serious bodily injury, bodily injury, threatened serious bodily injury, or threatened bodily injury to the victim or victims, or convictions for the offense of aggravated burglary under § 39-14-403, convictions for multiple felonies committed within the same twenty-four-hour period constitute one (1) conviction for the purpose of determining prior convictions; and

SECTION 2. Tennessee Code Annotated, Section 40-35-107, is amended by deleting subdivision (b)(4) and substituting instead the following:

(4) Except for convictions for which the statutory elements include serious bodily injury, bodily injury, threatened serious bodily injury, or threatened bodily injury to the victim or victims, or convictions for the offense of aggravated burglary under § 39-14-403, convictions for multiple felonies committed within the same twenty-four-hour period constitute one (1) conviction for the purpose of determining prior convictions; and

SECTION 3. Tennessee Code Annotated, Section 40-35-108, is amended by deleting subdivision (b)(4) and substituting instead the following:

(4) Except for convictions for which the statutory elements include serious bodily injury, bodily injury, threatened serious bodily injury, or threatened bodily injury to the victim or victims, or convictions for the offense of aggravated burglary under § 39-14-403, convictions for multiple felonies committed within the same twenty-four-hour period constitute one (1) conviction for the purpose of determining prior convictions; and

SECTION 4. This act shall take effect July 1, 2009, the public welfare requiring it and all convictions for the offense of aggravated burglary under § 39-14-403, occurring on or after such date shall count as prior convictions for the purposes enumerated in this act.

PASSED: June 18, 2009


KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 8th day of July 2009


PHIL BREDESEN, GOVERNOR

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 605

HOUSE BILL NO. 898

By Representatives Watson, Todd, Mike Turner, Dean, Rich, Evans, Curtis Johnson, McCormick, Eldridge, Lynn, Harrison, Roach, Ford, Niceley, Harry Brooks, Campfield, Ty Cobb, Sargent

Substituted for: Senate Bill No. 1273

By Senator Bunch

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13 and Title 70, relative to firearms.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-1350, is amended by deleting subsection (c) and substituting instead the following:

(c) The authority conferred by this section shall not extend to a law enforcement officer:

(1) Who is not engaged in the actual discharge of official duties as a law enforcement officer and carries a firearm onto school grounds or inside a school building during regular school hours unless the officer immediately informs the principal that the officer will be present on school grounds or inside the school building and in possession of a firearm. If the principal is unavailable, the notice may be given to an appropriate administrative staff person in the principal's office;

(2) Who is consuming beer or an alcoholic beverage or who is under the influence of beer, an alcoholic beverage, or a controlled substance; or

(3) Who is not engaged in the actual discharge of official duties as a law enforcement officer while attending a judicial proceeding.

SECTION 2. Tennessee Code Annotated, Section 39-17-1305, is amended by adding the following language as a new, appropriately designated subsection:

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(1) Notwithstanding any provision of title 57 or any other law to the contrary, no entity of state or local government is authorized to:

(A) Refuse the issuance or renewal of any permit or license to sell beer, wine, or alcoholic beverages;

(B) Suspend or revoke any such permit or license; or

(C) Otherwise discriminate against the holder of, or applicant for, any such permit or license;

based solely upon conduct or activity that is lawful under this section or § 39-17-1359.

(2) As used in this subsection "discriminate against" includes, but is not limited to, requiring additional information in the permit or license application, charging a higher fee, requiring additional inspections, or restricting otherwise available locations.

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

PASSED: June 18, 2009


KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 9th day of July 2009


PHIL BREDESEN, GOVERNOR

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 606

HOUSE BILL NO. 961

By Representatives Bell, McCord, Tindell, Todd, Ulysses Jones, Evans, Rich, Lollar, Weaver, Dennis, Halford, Shipley, Hensley, Hawk, Jim Cobb, Hill, Campfield, Faulkner, Fraley, McCormick, Lundberg, Montgomery, Carr, Eldridge and Mr. Speaker Williams

Substituted for: Senate Bill No. 1519

By Senators Burchett, Jackson, Johnson, Beavers, Tracy, Gresham

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13 and Title 70, relative to possession of a firearm in certain recreational, hunting, refuge and wildlife management areas.

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

SECTION 1. Tennessee Code Annotated, Section 70-4-117, is amended by adding the following language as new subsection (d):

(d) Notwithstanding subsection (a), a person with a handgun carry permit pursuant to § 39-17-1351 may possess a handgun the entire year while on the premises of any refuge, public hunting area, wildlife management area or, to the extent permitted by federal law, national forest land maintained by the state. Nothing in this subsection (d) shall authorize a person to use any handgun to hunt unless such person is in full compliance with all wildlife laws, rules and regulations.

(e) Nothing in this section shall authorize a person with a hand gun carry permit to possess such weapon in the portion of any refuge, public hunting area or wildlife management area that is within the boundaries of a state park or state natural area unless otherwise authorized in accordance with state law.

(f) Nothing in this section shall authorize a person to access any area unless such person is in full compliance with all current wildlife laws, rules, proclamations and regulations.

SECTION 2. Tennessee Code Annotated, Section 70-5-101, is amended by adding the following language as subsection (c) and by redesignating the remaining subsections accordingly:

(c) Notwithstanding subsection (b), a person with a handgun carry permit pursuant to § 39-17-1351 may possess a handgun the entire year while on the premises of any refuge, public hunting area or wildlife management area or, to the extent permitted by federal law, national forest land maintained by the state. Nothing in this subsection (c) shall authorize a person to use any handgun to


hunt unless such person is in full compliance with all wildlife laws, rules and regulations.

(d) Nothing in this section shall authorize a person with a hand gun carry permit to possess such weapon in the portion of any refuge, public hunting area or wildlife management area that is within the boundaries of a state park or state natural area unless otherwise authorized in accordance with state law.

(e) Nothing in this section shall authorize a person to access any area unless such person is in full compliance with all current wildlife laws, rules, proclamations and regulations.

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

PASSED: June 18, 2009


KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 9th day of July 2009


PHIL BREDESEN, GOVERNOR