

Amendment No. 2 to HB0511

Curcio
Signature of Sponsor

AMEND Senate Bill No. 841

House Bill No. 511*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-202(a)(2), is amended by deleting the language "act of terrorism,".

SECTION 2. Tennessee Code Annotated, Section 39-13-202(a), is amended by adding the following as a new subdivision:

(4) A killing of another in the perpetration or attempted perpetration of an act of terrorism in violation of § 39-13-805.

SECTION 3. Tennessee Code Annotated, Section 39-13-202, is amended by deleting subsection (b) and substituting:

(b) No culpable mental state is required for conviction under subdivisions (a)(2)-(4), except the intent to commit the enumerated offenses or acts in those subdivisions.

SECTION 4. Tennessee Code Annotated, Section 39-13-202, is amended by deleting subsection (c) and substituting:

(c)

(1) A person convicted of first degree murder under subdivisions (a)(1)-

(3) shall be punished by:

(A) Death;

(B) Imprisonment for life without possibility of parole; or

(C) Imprisonment for life.

(2) A person convicted of first degree murder under subdivision (a)(4)

shall be punished by:

(A) Death; or

(B) Imprisonment for life without possibility of parole.

SECTION 5. Tennessee Code Annotated, Section 39-13-805, is amended by deleting subsection (b) and substituting:

(b)

(1) An act of terrorism is a Class A felony.

(2) If the act of terrorism results in the loss of human life, the defendant shall be prosecuted and sentenced for first degree murder, under § 39-13-202, rather than under this section.

SECTION 6. Tennessee Code Annotated, Section 39-13-803(1), is amended by adding the following as a new subdivision:

(D) Serve as a premeditated, politically motivated act of violence, or violence in pursuit of religious, ideological, or social objectives, perpetrated against first responders, including law enforcement officers, correctional officers, department of correction employees, probation or parole officers, paramedics, firefighters, or other emergency medical rescue workers acting in their official capacity, which results in loss of life, in which case it must be prosecuted and sentenced under § 39-13-202.

SECTION 7. This act takes effect July 1, 2021, the public welfare requiring it.