

HOUSE BILL 28

By Windle

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 13, relative to authorizing
administrative law judges to carry 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 adding the following as a new subdivision (d)(3):

(3) For purposes of this section, "law enforcement officer" also means an administrative law judge employed by this state who has successfully completed firearms training consisting of forty (40) hours initial training and eight (8) hours annual in-service training in firearms qualification administered by an instructor with certification from the Tennessee Correction Academy's firearms instructor program or from a police firearms instructor training program conducted or sanctioned by the federal bureau of investigation or the National Rifle Association.

SECTION 2. Tennessee Code Annotated, Section 39-17-1350, is further amended by adding the following as a new subsection:

(g)(1) The secretary of state shall design and issue to each requesting administrative law judge who is employed by this state, a state identification card certifying that the administrative law judge is authorized to carry a firearm pursuant to this section.

(2) Any administrative law judge desiring an identification card shall notify the secretary of state and shall provide the administrative law judge's full name and residential address. Upon receipt of the request, the secretary of state shall notify the chief officer of the government agency that employs the administrative law judge of the request. The chief officer of the agency that employ the administrative law judge shall

verify to the secretary of state whether the requesting administrative law judge is employed by the agency and shall so certify in a letter to be maintained by the secretary.

(3) If the secretary of state receives certification that a requesting administrative law judge is employed by the agency, the secretary shall issue the administrative law judge an identification card so certifying. The card shall be valid for as long as the administrative law judge remains vested and in the employment of the agency.

(4) An administrative law judge issued a card pursuant to this subsection (g) shall carry the card at all times the administrative law judge is carrying a firearm. The card shall be sufficient proof that the administrative law judge is authorized to carry a firearm pursuant to this section.

(5) If an administrative law judge resigns, is terminated, or is otherwise no longer employed by the agency that provided certification of employment pursuant to subdivision (g)(2), the chief officer of the agency shall, within ten (10) days, so notify the secretary of state. Upon receiving the notice, the secretary of state shall revoke the identification card and send a letter of revocation to the administrative law judge at the administrative law judge's last known address.

(6)

(A) A person who is no longer an administrative law judge employed by the agency that provided certification of employment pursuant to subdivision (g)(2), but who still has an identification card issued by the secretary of state shall have ten (10) days from receipt of the letter of revocation from the secretary of state to return the card to the secretary.

(B) It is a Class C misdemeanor punishable by fine only of fifty dollars (\$50.00) for a person to knowingly fail to return an identification card as required by subdivision (g)(6)(A).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.