

HOUSE BILL 388

By Powers

AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7, Part 5 and Title 39, Chapter 17, Part 13, relative to certain records pertaining to handgun carry permits.

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

SECTION 1. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following new subsection:

(o)

(1) Except as provided in subdivision (o)(2), the following documents, and the information contained in such documents, shall be available for copying and distribution pursuant to subdivision (o)(3):

(A) The application or permit renewal application for a handgun carry permit issued pursuant to § 39-17-1351, and the information contained therein;

(B) Other materials submitted to the department to obtain a handgun carry permit and the information contained in such materials;

(C) Materials provided to a governmental agency, or employee thereof, for the purpose of the agency conducting an investigation into an applicant for a handgun carry permit and the information contained in such materials; and

(D) Whether a person has or has not been issued a handgun carry permit.

(2)

(A) All documents, and the information contained in such documents, unless otherwise protected by state or federal law, pertaining to a handgun carry permit which has been revoked pursuant to § 39-17-1352, shall be open records and, upon written request to the department of safety and homeland security, shall be made available for public inspection as provided in this part.

(B) If a permit has not been renewed pursuant to § 39-17-1351, the department of safety and homeland security shall not provide any information in response to a request for information pursuant to this subsection (o).

(3) Any information or other records in subdivision (o)(1) may be copied or reproduced, provided that not more than fifteen (15) records may be copied or reproduced by one (1) person in one (1) day. For the purposes of this subsection (o), one (1) record shall be the complete file maintained by the department of safety and homeland security relative to a handgun permit for one (1) person.

(4) A compilation of information or other records, including names and addresses of permit holders, may be provided if the recipient of such information or records signs a statement that such recipient will not publish such information or records nor will such recipient allow others to publish such information or records. A violation of this subdivision (4) is a Class C misdemeanor. Each publication event of such compilation of information or other records in violation of this subdivision is a separate offense.

(5) Any information or other records regarding an applicant or permit holder may be released to a law enforcement agency for the purpose of conducting an investigation or prosecution, or for determining the validity of a handgun carry permit, or to a child support enforcement agency for purposes of

child support enforcement, but shall not be publicly disclosed except as evidence in a criminal or child support enforcement proceeding.

(6) Nothing in this subsection (o) shall prohibit the release of handgun carry permit statistical reports authorized by § 39-17-1351(s).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to all Tennessee handgun carry permits.