



# State of Tennessee

## PUBLIC CHAPTER NO. 914

### SENATE BILL NO. 2030

By Green, Southerland, Briggs, Crowe, Gresham, Hensley, Ketron, Lundberg

Substituted for: House Bill No. 2130

By Van Huss, Lamberth; Madam Speaker Harwell; Kumar, Moon, Rogers, Forgety, Butt, Thompson, Moody, Ragan, Terry, Calfee, Powell, Mark White, Windle, Powers, Stewart, Alexander, Marsh, Tillis, Beck, Fitzhugh, Williams, Goins, Sherrell, Gravitt, Dunn, Curcio, Byrd, Lynn, Crawford, Hawk, Timothy Hill, Akbari, Littleton, Matheny, Camper, Kevin Brooks, Sparks

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 16, Part 3 and Section 58-1-602, relative to uniformed service.

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

SECTION 1. This act shall be known and may be cited as the "Tennessee Stolen Valor Act."

SECTION 2. Tennessee Code Annotated, Section 39-16-301, is amended by deleting subsection (c) and substituting instead the following:

(c)(1) A person commits criminal impersonation who, with the intent to obtain money, property, services, or any other tangible benefit, pretends to be an active duty member or veteran of uniformed service by:

(A) Wearing the uniform, rank, medals, devices, or insignia of a uniformed service of which the person is not a member or veteran or to which the person has not earned or been awarded;

(B) Fraudulently representing to another, or misleading another to believe, that the person is the recipient of a military rank, medal, device, insignia, award, decoration, ribbon, tab, or other service recognition that the person has not received or earned; or

(C) Presenting false identification, documentation, or certification to include, without limitation:

(i) United States department of defense identification cards;

(ii) Military forms showing release or discharge from active duty, including department of defense form 214 (DD 214) or equivalent forms;

(iii) United States department of veteran affairs identification cards; or

(iv) Certifications or qualifications indicating uniformed service training or education.

(2) This subsection (c) shall not be construed to prevent members of organizations known as the Boy Scouts of America, or the naval militia, or such other organizations as the secretary of defense may designate, from wearing their prescribed uniforms; nor to prevent persons who in time of war have served honorably in the armed forces of the United States, from wearing the uniform as may be prescribed by the laws of the United States; nor to prevent other duly designated organizations, schools, colleges, universities, cadet corps, military societies, or instructors, from wearing the uniform as prescribed by the laws of the United States;

nor to prevent the wearing of the uniform in playhouses, theaters, or motion pictures, as may be prescribed by the laws of the United States; and provided further, that the members of the military societies and instructors and members of the cadet corps mentioned in this subdivision (c)(2) shall not wear the insignia of rank prescribed to be worn by officers of the armed forces of the United States, or any similar insignia of rank.

(d)(1) Criminal impersonation under subsection (a) is a Class B misdemeanor. However, if the criminal impersonation was committed to falsely obtain a driver license or photo identification license, the maximum fine of five hundred dollars (\$500) shall be imposed. If any person commits the offense of criminal impersonation under subsection (a) while pretending to be a firefighter, medical fire responder, paramedic, emergency medical technician, or any other first responder and while operating a motor vehicle pursuant to § 55-9-201(d), § 55-9-402(g), or § 55-9-414(f), then the offense is a Class A misdemeanor.

(2) Criminal impersonation under subsection (b) or (c) is a Class A misdemeanor. However, if any person commits criminal impersonation of a law enforcement officer under subsection (b) while operating a motor vehicle pursuant to § 55-9-201(d), § 55-9-402(g), or § 55-9-414(f), then the maximum fine for the offense shall be five thousand dollars (\$5,000).

(3) All revenue collected from the fines imposed for a conviction of subsection (c) must be paid into to the general fund. It is the intent of the general assembly that an amount equal to the revenue collected from the fines imposed for a conviction under subsection (c) be allocated to assist in veteran property tax relief, subject to the general appropriations act.

(e) For purposes of this section, "uniformed service" means:

(1) Active and reserve components of the army, navy, air force, marine corps, or coast guard of the United States;

(2) The commissioned corps of the United States public health service;

(3) The commissioned corps of the national oceanic and atmospheric administration of the United States; or

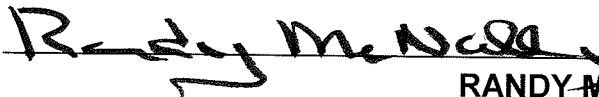
(4) The national guard of a state.

SECTION 3. Tennessee Code Annotated, Section 58-1-602, is amended by deleting the section in its entirety.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.

SENATE BILL NO. 2030

PASSED: April 16, 2018

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 1<sup>st</sup> day of May 2018

  
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BILL HASLAM, GOVERNOR