

SENATE BILL 878

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 33;
Title 36; Title 39 and Title 40, relative to handgun
carry permits.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-1316(n), is amended by deleting the subsection in its entirety and substituting instead the following:

(n) In addition to the other grounds for denial, the bureau shall deny the transfer of a firearm if:

(1) The background check reveals information indicating that the purchaser has been charged with a crime for which the purchaser, if convicted, would be prohibited under state or federal law from purchasing, receiving, or possessing a firearm; and, either there has been no final disposition of the case, or the final disposition is not noted;

(2) The bureau has reasonably sufficient information to believe that the purchaser, if allowed to proceed with the transaction, would be in violation of subdivision(a)(1); or

(3) The purchaser, at the time of purchase, has a permit to carry weapons under this chapter, is licensed under title 62, chapter 35, and such permit or licensure is suspended or revoked.

SECTION 2. Tennessee Code Annotated, Section 33-6-413, is amended by adding the following new subsection:

(c) The notice required under subsection (b), along with information necessary to adequately identify the defendant, shall be sent by the court, without delay, to the Tennessee bureau of investigation, to the department of safety handgun permit office,

and the chief law enforcement officer of the county of residence and the county of detention, for use in determining continued eligibility under title 39 chapter 17, part 13. Records transmitted under this section shall be treated as confidential and shall not be open for inspection by members of the public. Their dissemination under this part shall be limited to the extent necessary for compliance herein or to those directly involved the specified agencies.

SECTION 3. Tennessee Code Annotated, Section 36-3-620(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c) The officer's supervisor shall include the appended information on seized weapons in the compilation of data that the officer's supervisor forwards to the administrative director of the courts pursuant to § 36-3-619(f). The administrative director of the courts shall, without delay, cause such notification to be transmitted to the Tennessee bureau of investigation and to the department of safety handgun permit office and for use in determining continued eligibility under title 39, chapter 17, part 13.

SECTION 4. Tennessee Code Annotated, Section 36-3-625(c), is amended by adding the following new subdivision:

(2) Such information shall also be transmitted to the Tennessee bureau of investigation and to the department of safety handgun permit office and for use in determining continued eligibility under title 39, chapter 17, part 13.

SECTION 5. Tennessee Code Annotated, Section 40-13-109, is amended by adding the following new subsection (b):

(b) Upon the issuance of a felony indictment, the clerk shall transmit, along with information necessary to adequately identify the defendant and the felony charged, to the clerk without delay, to the Tennessee bureau of investigation, and to the department of safety handgun permit office and for use in determining continued eligibility under title 39, chapter 17, part 13.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.