

SENATE BILL 968

By Robinson

AN ACT to amend Tennessee Code Annotated, Title 29
and Title 39, Chapter 17, Part 13, relative to
injuries resulting from firearms.

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

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by adding the following as a new section:

(a) A person is liable for injury to the person or property of another or for wrongful death resulting from the use of a firearm in the commission of a crime if it can be shown by clear and convincing evidence that the defendant sold or transferred the firearm to the person who committed the crime resulting in the injury or wrongful death:

(1) Knowing that such person was prohibited by law from owning or possessing the firearm;

(2) Knowing that such person intended to commit a crime with the firearm; or

(3) Without inquiring as to whether such person was prohibited by law from owning or possessing the firearm.

(b) It is a defense to liability under subdivision (a)(1) or subdivision (a)(3) if the defendant obtained verification from a licensed dealer in firearms that information on the prospective purchaser or transferee has been submitted for a criminal history record check as set out in § 39-17-1316 and that a determination has been received from the Tennessee bureau of investigation that the prospective purchaser or transferee is not prohibited under state or federal law from possessing a firearm.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it, and shall apply to firearms sold or transferred on or after that date.