

SENATE BILL 1309

By Bailey

AN ACT to amend Tennessee Code Annotated, Title 39  
and Title 70, relative to wild animals.

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

SECTION 1. Tennessee Code Annotated, Section 70-4-134, is amended by adding the following new subsection:

(e)

(1) Notwithstanding this section to the contrary, and unless otherwise prohibited by federal law, it is legal for a person who resides on property that adjoins a bear habitat community to take, attempt to take, or harm a bear that enters onto the person's property if the bear acted in a manner that caused:

(A) The person to have a reasonable belief that the bear's action placed the person in imminent danger of death or serious bodily injury;

(B) The person to believe the danger creating the threat of imminent death or serious bodily injury is real, or is honestly believed to be real at the time; and

(C) The belief of danger to be founded upon reasonable grounds.

(2) A person shall not take, attempt to take, or harm a bear in accordance with subdivision (e)(1) until:

(A)

(i) The person has submitted a written request to the agency to have the bear removed from the area due to the threat it presents to persons; and

(ii) The same or another bear enters onto the property again before the agency can remove it; or

(B) The agency does not respond to the person's written request submitted pursuant to subdivision (e)(2)(A) within ten (10) days after the date the agency receives the written request to remove the bear.

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