

Amendment No. 1 to SB2316

Kelsey
Signature of Sponsor

AMEND Senate Bill No. 2316*

House Bill No. 2464

by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1301, is amended by deleting subdivision (3) and substituting instead the following:

(3) "Crime of violence" includes any degree of murder, voluntary manslaughter, aggravated rape, rape, rape of a child, especially aggravated rape of a child, aggravated sexual battery, especially aggravated robbery, aggravated robbery, burglary, aggravated burglary, especially aggravated burglary, aggravated assault, kidnapping, aggravated kidnapping, especially aggravated kidnapping, carjacking, trafficking for commercial sex act, especially aggravated sexual exploitation, felony child abuse, and aggravated child abuse;

SECTION 2. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subdivision (b)(1)(A) and substituting instead the following:

(A) Has been convicted of a felony crime of violence, an attempt to commit a felony crime of violence, or a felony involving use of a deadly weapon; or

SECTION 3. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subdivision (j)(3) and substituting instead the following:

(3) The applicant, who was rendered infamous or deprived of the rights of citizenship by judgment of any state or federal court, has had the applicant's full rights of citizenship duly restored pursuant to procedures set forth within title 40, chapter 29, or other federal or state law; provided, however, that this subdivision (j)(3) shall not apply to any person who has been convicted of a felony crime of violence, an attempt to commit

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a felony crime of violence, a felony drug offense, or a felony offense involving use of a deadly weapon; or

SECTION 4. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subdivision (c)(1) and substituting instead the following:

(1) A person commits an offense who possesses a handgun and has been convicted of a felony unless:

(A) The person has been pardoned for the offense;

(B) The felony conviction has been expunged; or

(C) The person's civil rights have been restored pursuant to title 40, chapter 29, and the restoration order does not specifically prohibit the person from possessing firearms.

SECTION 5. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subdivision (b)(2) and substituting instead the following:

(2) The applicant is at least eighteen (18) years of age; and

(A)

(i) Is an honorably discharged or retired veteran of the United States armed forces; and

(ii) Includes with the application a certified copy of the applicant's certificate of release or discharge from active duty, department of defense form 214 (DD 214);

(B)

(i) Is an honorably discharged member of the army national guard, the army reserve, the navy reserve, the marine corps reserve, the

air national guard, the air force reserve, or the coast guard reserve, who has successfully completed a basic training program; and

(ii) Includes with the application a certified copy of the applicant's honorable discharge certificate, department of defense form 256 (DD 256), or report of separation and record of service, NGB form 22, that indicates an honorable discharge characterization; or

(C)

(i) Is a member of the United States armed forces on active duty status or is a current member of the army national guard, the army reserve, the navy reserve, the marine corps reserve, the air national guard, the air force reserve, or the coast guard reserve, who has successfully completed a basic training program; and

(ii) Includes with the application a military identification card or such other document as the commissioner designates as sufficient proof that the applicant is an active duty member of the military or a current member of the national guard or United States military reserve, who has successfully completed a basic training program.

SECTION 6. Tennessee Code Annotated, Section 39-17-1352(a)(4), is amended by deleting the subdivision and substituting instead the following:

(4) Has been arrested for a felony crime of violence, an attempt to commit a felony crime of violence, a felony involving the use of a deadly weapon, or a felony drug offense;

SECTION 7. This act shall take effect July 1, 2018, the public welfare requiring it.