

SENATE BILL 1966

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 13, relative to firearms.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following as a new section:

(a) The Tennessee bureau of investigation, by January 1, 2025, shall develop and launch a secure internet-based platform to allow any person in the United States to register to add the person's own name to the "Tennessee Do Not Sell List." The bureau shall ensure that this internet-based platform credibly:

- (1) Verifies the identity of any person who opts to register with the bureau;
- (2) Prevents unauthorized disclosures of any registering persons; and
- (3) Informs the potential registrant of the legal effects of registration.

(b) After the internet-based platform becomes operative, a person may request, via the platform, to be added to the "Tennessee Do Not Sell List." The bureau shall, on an ongoing basis, ensure that registry information is reflected in the National Instant Criminal Background Check system (NICS) Index Denied Persons File, and conveyed to any other state that adopts an analogous "Do Not Sell List."

(c)

(1) Registering for the "Tennessee Do Not Sell List" or registering in any other state that adopts an analogous "Do Not Sell List" renders the registrant ineligible to receive a firearm. If a person is in the NICS due to registering in this

state or in another state, receipt of a firearm from a person or entity required to perform a background check violates this section.

(2)

(A) It is an offense to knowingly transfer a firearm to a person who is validly registered on the "Tennessee Do Not Sell List" or a similar list in another state.

(B) A violation of this subdivision (c)(2) is a Class A misdemeanor, punishable only by a fine not to exceed one thousand dollars (\$1,000).

(d) A person requesting to be added to the "Tennessee Do Not Sell List" may subsequently request that the person's name be removed from the registry by a secure method conveyed to this state's internet-based platform. The bureau shall wait twenty-one (21) days after receiving a request to remove a person's name from the registry before removing the requesting person from the NICS Index Denied Persons File for Tennessee. The bureau shall notify any other participating state and, following this notification, shall purge all records related to the registration process.

(e)

(1) Whether a person is on the "Tennessee Do Not Sell List" or the person has requested to be removed from the list is confidential with respect to matters involving employment, education, housing, insurance, government benefits, and contracting.

(2) A cause of action is created if a person or entity inquires whether a person is on the "Tennessee Do Not Sell List" for the purposes of employment, education, housing, insurance, government benefits, or contracting or if the person or entity takes any action against the person based upon that information.

(3) The person whose confidentiality was violated by an inquiry or action may bring a cause of action for appropriate relief, including reasonable attorney fees, for each violation of this subsection (e) that occurs.

SECTION 2. For purposes of designing and establishing the "Tennessee Do Not Sell List" on a secure internet-based platform, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect on January 1, 2025.