

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 605

HOUSE BILL NO. 898

By Representatives Watson, Todd, Mike Turner, Dean, Rich, Evans, Curtis Johnson, McCormick, Eldridge, Lynn, Harrison, Roach, Ford, Niceley, Harry Brooks, Campfield, Ty Cobb, Sargent

Substituted for: Senate Bill No. 1273

By Senator Bunch

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13 and Title 70, relative to firearms.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-1350, is amended by deleting subsection (c) and substituting instead the following:

(c) The authority conferred by this section shall not extend to a law enforcement officer:

(1) Who is not engaged in the actual discharge of official duties as a law enforcement officer and carries a firearm onto school grounds or inside a school building during regular school hours unless the officer immediately informs the principal that the officer will be present on school grounds or inside the school building and in possession of a firearm. If the principal is unavailable, the notice may be given to an appropriate administrative staff person in the principal's office;

(2) Who is consuming beer or an alcoholic beverage or who is under the influence of beer, an alcoholic beverage, or a controlled substance; or

(3) Who is not engaged in the actual discharge of official duties as a law enforcement officer while attending a judicial proceeding.

SECTION 2. Tennessee Code Annotated, Section 39-17-1305, is amended by adding the following language as a new, appropriately designated subsection:

( )

(1) Notwithstanding any provision of title 57 or any other law to the contrary, no entity of state or local government is authorized to:

(A) Refuse the issuance or renewal of any permit or license to sell beer, wine, or alcoholic beverages;

(B) Suspend or revoke any such permit or license; or


(C) Otherwise discriminate against the holder of, or applicant for, any such permit or license;

based solely upon conduct or activity that is lawful under this section or § 39-17-1359.

(2) As used in this subsection "discriminate against" includes, but is not limited to, requiring additional information in the permit or license application, charging a higher fee, requiring additional inspections, or restricting otherwise available locations.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: June 18, 2009**

  
KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

  
RON RAMSEY  
SPEAKER OF THE SENATE

**APPROVED this 9th day of July 2009**

  
PHIL BREDESEN, GOVERNOR