

Amendment No. 1 to SB1887

Gardenhire
Signature of Sponsor

AMEND Senate Bill No. 1887*

House Bill No. 2590

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-308(e), is amended by adding the following new subdivisions:

() "Bullying" means an act committed by a student that substantially interferes with another student's educational benefits, opportunities, or performance; and:

(A) If the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation or at any official school bus stop, the act has the effect of:

(i) Physically harming the other student or damaging the other student's property; or

(ii) Knowingly placing the other student or students in reasonable fear of physical harm to the other student or damage to the student's property; or

(B) If the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at another student or students and has the effect of creating a substantial disruption to the education environment or learning process;

() "Cyber-bullying" means bullying undertaken through the use of electronic devices;

() "Official report" means a written report made by a law enforcement officer in the course of the law enforcement officer's official duties that the parent of a minor child

who is identified as a victim in the report may obtain from the law enforcement officer's employing law enforcement agency;

() "School" means a public or private school that conducts classes in any grade from kindergarten through grade twelve (K-12);

() "Student" means a person, regardless of age, enrolled in a public or private school that conducts classes in any grade from kindergarten through grade twelve (K-12);

SECTION 2. Tennessee Code Annotated, Section 39-17-308(a), is amended by deleting the word "or" at the end of subdivision (a)(3), replacing the period at the end of subdivision (a)(4)(B) with the language "; or", and adding the following new subdivision:

(5) Engages in bullying or cyber-bullying.

SECTION 3. Tennessee Code Annotated, Section 39-17-308, is amended by adding the following new subsection:

(g)

(1) A law enforcement officer who has knowledge that a minor is the victim of an incident of bullying or cyberbullying shall:

(A) Make an official report of the incident; and

(B) Provide the minor's parent, legal guardian, or legal custodian with notice of the bullying or cyberbullying and instructions concerning how to obtain a copy of the report made pursuant to subdivision (g)(1)(A).

(2) This subsection (g) does not apply to incidents reported to the department of safety through the SafeTN application or a successor application.

SECTION 4. Tennessee Code Annotated, Section 39-17-308(d), is amended by redesignating the current subsection as subdivision (d)(1) and adding the following new subdivision:

(2) A violation by a minor of subdivision (a)(5) is a delinquent act and shall be punished as provided in § 37-1-131.

SECTION 5. This act takes effect July 1, 2024, the public welfare requiring it.