HOUSE BILL 510

By Reedy

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11, Part 6, relative to justifications excluding criminal responsibility.

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

SECTION 1. Tennessee Code Annotated, Section 39-11-614, is amended by deleting subsection (c) and substituting:

(c) A person is justified in using deadly force against another to protect real or personal property:

(1) If the person would be justified in using force against the other under subsection (a) or (b);

(2) When and to the degree the person reasonably believes deadly force is immediately necessary to prevent or terminate the other from committing or attempting to commit:

(A) Arson;

(B) Burglary;

(C) Robbery;

(D) Theft;

(E) Trespass;

(F) Vandalism;

(G) Aggravated cruelty to animals; or

(H) Aggravated cruelty to livestock animals; and

(3) The person reasonably believes:

(A) The real or personal property cannot be protected or recovered by any other means; or

(B) The use of force other than deadly force to protect or recover the real or personal property would expose the person or a third person to a risk of death or serious bodily injury.

(d) Unless a person is justified in using deadly force under subsection (c) or as otherwise provided by law, a person is not justified in using deadly force to prevent or terminate the other's trespass on real property or unlawful interference with personal property.

SECTION 2. Tennessee Code Annotated, Section 39-11-602, is amended by deleting subdivision (2) and substituting:

(2) "Deadly force":

(A) Means force that is intended or known by the defendant to cause or, in the manner of its use or intended use, is capable of causing death or serious bodily injury; and

(B) Does not include the display or brandishing of a weapon if the display or brandishing of the weapon does not result in death or serious bodily injury; and

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.