

HOUSE BILL 633

By Evans

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13 and Title 49, Chapter 6, relative to the possession and carrying of weapons on school property.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-1309, is amended by adding the following new subsection:

(f)

(1) Except as otherwise provided in subdivision (f)(2), subsections (b) and (c) do not apply to a person employed by a local education agency as a faculty or staff member at a K-12 public school if:

(A) The person is authorized to possess and carry a firearm pursuant to § 39-17-1351;

(B) The person receives training pursuant to § 49-6-4217(b);

(C) No student resource officer, as defined in § 49-6-4202, has been assigned to or is on duty at the school in which the faculty or staff member is employed; and

(D) The person is possessing and carrying a handgun at the school in which such person is employed during normal school hours or during school functions.

(2)

(A) Any local education agency may elect to prohibit persons authorized to carry a handgun pursuant to subdivision (f)(1), from possessing and carrying a handgun while in a school that is operated by the local education agency. If a local education agency elects to prohibit

the possession of handguns pursuant to subdivision (f)(1), the prohibition shall apply to the entire school and the local education agency shall provide prior notice to all faculty and staff members employed at such school.

(B) Any local education agency that prohibits persons from possessing and carrying a handgun pursuant to subdivision (f)(2)(A) shall be civilly liable for any damages, personal injury or death that results from a criminal act by any person not authorized to be in the school in which the prohibition was in effect.

(3) For purposes of this subsection (f), "school" means any K-12 public school building or bus, public school campus, grounds, recreation area, athletic field or any other property owned, used or operated by a local education agency for the administration of any K-12 public educational institution.

SECTION 3. This act shall take effect July 1, 2103, the public welfare requiring it, and shall apply to the 2013/2014 school year and each school year thereafter.