

HOUSE BILL 1881

By Capley

AN ACT to amend Tennessee Code Annotated, Title 39  
and Title 40, relative to assault against certain  
persons.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-116, is amended by deleting the language "first responder or nurse" wherever it appears and substituting "law enforcement officer, first responder, or nurse".

SECTION 2. Tennessee Code Annotated, Section 39-13-116(a), is amended by deleting the language "first responder's or nurse's" and substituting "law enforcement officer's, first responder's, or nurse's".

SECTION 3. Tennessee Code Annotated, Section 39-13-116(b), is amended by deleting the language "first responder or nurse's" and substituting "law enforcement officer's, first responder's, or nurse's".

SECTION 4. Tennessee Code Annotated, Section 39-13-116(c)(1), is amended by deleting the subdivision and substituting:

(1)

(A) Assault against a law enforcement officer under subsection (a) is a Class E felony, and shall be punished by a mandatory fine of ten thousand dollars (\$10,000) and a mandatory minimum sentence of sixty (60) days incarceration. The defendant is not eligible for release from confinement until the defendant has served the entire sixty-day mandatory minimum sentence.

(B) Assault against a first responder or nurse under subsection (a) is a Class A misdemeanor, and shall be punished by a mandatory fine of five

thousand dollars (\$5,000) and a mandatory minimum sentence of thirty (30) days incarceration. The defendant is not eligible for release from confinement until the defendant has served the entire thirty-day mandatory minimum sentence.

SECTION 5. Tennessee Code Annotated, Section 39-13-116(d)(1), is amended by deleting the subdivision, substituting the following, and redesignating the subsequent subdivision:

(1) "First responder" means a firefighter, emergency services personnel, or other person who responds to calls for emergency assistance from a 911 call, but does not include a law enforcement officer;

(2) "Law enforcement officer" includes, but is not limited to, a POST-certified law enforcement officer, capitol police officer, Tennessee highway patrol officer, Tennessee bureau of investigation agent, Tennessee wildlife resources agency officer, deputy jailer, or park ranger employed by the division of parks and recreation in the department of environment and conservation; and

SECTION 6. Tennessee Code Annotated, Section 40-11-115(d)(4), is amended by adding the language "law enforcement officer or" immediately before the language "first responder".

SECTION 7. Tennessee Code Annotated, Section 40-11-116(c)(4), is amended by adding the language "law enforcement officer or" immediately before the language "first responder".

SECTION 8. Tennessee Code Annotated, Section 40-35-501(cc)(2), is amended by deleting the language "first responder or nurse" wherever it appears and substituting instead the language "law enforcement officer, first responder, or nurse".

SECTION 9. This act takes effect July 1, 2024, the public welfare requiring it.