

SENATE BILL 39

By Kelsey

AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 1 and Title 38, Chapter 3, relative to law enforcement equipment.

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

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 3, is amended by adding the following as a new, appropriately designated section:

(a) No law enforcement agency shall own or use a military vehicle, military aircraft, or military weaponry for law enforcement purposes.

(b) For purposes of this section:

(1) "Crew-served weapon" means a weapon system that requires a crew of more than one (1) person to function at optimum efficiency due to its operational complexity, such as requiring one (1) person to load while another fires;

(2) "Law enforcement agency" means a lawfully established state or local public agency that is responsible for the prevention and detection of crime, local government code enforcement, and the enforcement of penal, traffic, regulatory, game, or controlled substance laws and includes a law enforcement agency under § 49-7-118;

(3) "Military aircraft" means fixed-wing or rotary-wing aircraft designed to be armed for military use obtained pursuant to § 1033 of the National Defense Authorization Act for Fiscal Year 1997, codified in 10 U.S.C. § 2576a, as amended, and includes weaponized unmanned aerial vehicles and helicopter gunships;

(4) "Military vehicle" means a tactical armored vehicle obtained pursuant to § 1033 of the National Defense Authorization Act for Fiscal Year 1997, codified in 10 U.S.C. § 2576a, as amended; and

(5) "Military weaponry":

(A) Means weapons designed to primarily have a military purpose;

(B) Includes machine guns, mortars, rocket-propelled grenades, flamethrowers, grenade launchers, anti-tank weapons, recoilless rifles, and crew-served weapons; and

(C) Does not include:

(i) Magazine-fed, gas-operated, air-cooled rifles designed for semiautomatic or automatic fire;

(ii) Magazine-fed, air-cooled carbines designed for semiautomatic or automatic fire and the use of pistol cartridges; or

(iii) Grenade launchers adapted to use nonlethal ammunition.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it; provided, any law enforcement agency that owns or uses a military vehicle, military aircraft, or military weaponry for law enforcement purposes shall divest itself of or destroy such vehicle, aircraft, or weaponry prior to January 1, 2016.