



# State of Tennessee

## PUBLIC CHAPTER NO. 124

HOUSE BILL NO. 173

By Representatives Lamberth, Lynn, Casada, Cameron Sexton, Ragan, Carter, Zachary,  
Lollar, Holt, Powers, Kumar

Substituted for: Senate Bill No. 894

By Senator Johnson

AN ACT to amend Tennessee Code Annotated, Title 9; Title 39, Chapter 17; Title 40; Title 53, Chapter 11; Title 54 and Title 67, relative to the preemption of certain criminal offenses.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-401, is amended by designating the existing language as subsection (a) and adding the following new subsection (b):

(b) Except as otherwise expressly permitted by state law, the state preempts the entire field of determining the appropriate sanction for conduct involving a drug or other substance that is classified by this part or title 53, chapter 11, as a Class A or B misdemeanor or a Class A, B, C, D, or E felony. No county, city, town, municipality, or metropolitan form of government has the authority by ordinance, resolution, regulation, or other local law to enact or adopt a sanction for conduct involving a drug or other substance if the sanction for that conduct is established by this part or title 53, chapter 11, as a criminal offense other than a Class C misdemeanor. Any ordinance, resolution, regulation, or other local law enacted or adopted prior to the effective date of this act regulating drugs and other substances that is inconsistent with this part and title 53, chapter 11, is superseded and repealed. Any policy, guideline, or practice of any agency, department, or employee of a county, city, town, municipality, or metropolitan form of government that regulates or permits the enforcement of conduct covered by this subsection (b) in a manner inconsistent with state law is void.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: March 27, 2017

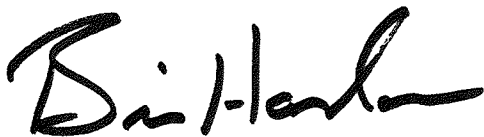


BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 12<sup>th</sup> day of April 2017



BILL HASLAM, GOVERNOR