

SENATE BILL 1171

By Pody

AN ACT to amend Tennessee Code Annotated, Title 19;
Title 20; Title 29; Title 39; Title 68 and Title 71,
relative to property rights.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 4, is amended by adding the following as a new section:

(a) Notwithstanding any law to the contrary, a law enforcement officer may cite and arrest a person for criminal trespass under § 39-14-405 if:

(1) The law enforcement officer responds to a call alleging a threat against the life, health, or safety of a property owner who is at least sixty-five (65) years of age;

(2) The alleged threat is made by another person residing at the premises who, upon the credible belief of the officer, made the threat; is not a relative of the owner; and cannot show proof of paying rent to reside at or ownership of the property; and

(3) The law enforcement officer gives the person who made the alleged threat the opportunity to willingly, immediately, and permanently leave the premises.

(b) Subsection (a) applies to a person regardless of the amount of time that a person resided with the owner while not paying rent. A person cited or arrested under this section, or who willingly leaves the premises in accordance with subdivision (a)(3), who later returns to the property without the consent of the owner may be subject to

arrest in accordance with § 39-14-405 if a law enforcement officer determines that the elements of the offense exist.

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