

SENATE BILL 1751

By Rose

AN ACT to amend Tennessee Code Annotated, Title 70,
relative to wildlife resources.

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

SECTION 1. Tennessee Code Annotated, Section 70-1-310, is amended by deleting subsection (c) and substituting:

(c)

(1) This section is not applicable to a person arrested for a violation of:

(A) This title, or an offense for which an arrest is authorized pursuant to this title, that is punishable by a fine no more than five hundred dollars (\$500) or by imprisonment for more than thirty (30) days;
or

(B) Title 69, chapter 9, that is punishable by a fine of more than fifty dollars (\$50.00) or by imprisonment for more than thirty (30) days.

(2) This section does not supersede § 40-7-118, and does not require the use of a citation in lieu of continued custody of an arrested person in any of the circumstances specified in § 40-7-118(d).

SECTION 2. Tennessee Code Annotated, Section 70-2-101, is amended by deleting subsection (e) and substituting:

(e) A violation of this section is a Class C misdemeanor and punishable by a fine not to exceed five hundred dollars (\$500). A person who violates the revocation order of the court is subject to a fine not to exceed five hundred dollars (\$500) and must be confined in the county jail or workhouse for not less than ten (10) days but not more than

eleven (11) months and twenty-nine (29) days. Notwithstanding another law to the contrary, the minimum sentence of ten (10) days must not be suspended.

SECTION 3. Tennessee Code Annotated, Section 70-2-205(e)(1), is amended by deleting "by a fine of not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000)" and substituting "by a fine not to exceed five hundred dollars (\$500)".

SECTION 4. Tennessee Code Annotated, Section 70-2-213(c), is amended by deleting "fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100)" and substituting "fined not more than five hundred dollars (\$500)".

SECTION 5. Tennessee Code Annotated, Section 70-2-214(c), is amended by deleting "by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00)" and substituting "by a fine not to exceed five hundred dollars (\$500)".

SECTION 6. Tennessee Code Annotated, Section 70-2-215(d), is amended by deleting "be fined not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00)" and substituting "be fined not more than five hundred dollars (\$500)".

SECTION 7. Tennessee Code Annotated, Section 70-2-221(e), is amended by deleting "by a fine not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00)" and substituting "by a fine not to exceed five hundred dollars (\$500)".

SECTION 8. Tennessee Code Annotated, Section 70-4-106(a), is amended by deleting subdivision (2) and substituting:

(2) If the wild animal, wild bird, wild fowl, or fish is not removed from the land of another, then a violation of subdivision (a)(1) is a Class C misdemeanor. If the wild animal, wild bird, wild fowl, or fish is removed from the land of another, then a violation of subdivision (a)(1) is a Class B misdemeanor. Upon conviction for a violation of subdivision (a)(1), the court may revoke the license of the person so convicted. A

revoked license must be surrendered to the court and transmitted to the arresting officer, to be made a part of the prosecution record.

SECTION 9. Tennessee Code Annotated, Section 70-5-112(c), is amended by deleting "by a fine not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00)" and substituting "by a fine not to exceed five hundred dollars (\$500)".

SECTION 10. Tennessee Code Annotated, Section 70-6-101(b)(2), is amended by deleting "by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00)" and substituting "by a fine not to exceed five hundred dollars (\$500)".

SECTION 11. Tennessee Code Annotated, Section 70-6-102, is amended by deleting "by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for each offense" and substituting "by a fine not to exceed five hundred dollars (\$500) for each offense".

SECTION 12. Tennessee Code Annotated, Section 70-6-104, is amended by deleting subsection (a) and substituting:

(a) When a person is arrested for a violation of the wildlife laws, it is the duty of the arresting officer to take the person arrested before a court of general sessions for trial, in the county where the offense was committed. If before the court of general sessions, the accused is found guilty of an offense, then the person has the right to appeal to the circuit or criminal court having jurisdiction of such appeals, upon giving bond with good security in accordance with § 27-5-103.

SECTION 13. Tennessee Code Annotated, Section 70-6-107(a), is amended by deleting "by a fine of more than fifty dollars (\$50.00)" and substituting "by a fine of more than five hundred dollars (\$500)".

SECTION 14. This act takes effect July 1, 2024, the public welfare requiring it, and applies to offenses committed on or after that date.