

HOUSE BILL 948

By Brooks

AN ACT to amend Tennessee Code Annotated, Title 36;
Title 39 and Title 40, relative to firearms
dispossession.

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

SECTION 1. Tennessee Code Annotated, Section 36-3-625(a), is amended by deleting subdivisions (a)(1) and (2) and substituting:

(1) That the respondent is required to dispossess any firearm in the respondent's possession by transferring the firearm to a law enforcement agency designated by the court within forty-eight (48) hours of the issuance of the order;

(2) That the respondent is prohibited from possessing a firearm for so long as the order of protection or any successive order of protection is in effect; and

SECTION 2. Tennessee Code Annotated, Section 36-3-625, is amended by deleting subdivision (b)(1) and substituting:

(1) To terminate the respondent's possession of all firearms in the respondent's possession pursuant to subdivision (a)(1) within forty-eight (48) hours;

SECTION 3. Tennessee Code Annotated, Section 36-3-625, is amended by deleting subdivision (b)(2) and substituting:

(2) To complete and return to the court within three (3) business days of the issuance of the order:

(A) A copy of the receipt from the law enforcement agency demonstrating the law enforcement agency's receipt of the firearm; and

(B) The affidavit of firearm dispossession form created pursuant to subsection (e), which the court may provide the respondent or direct the respondent to obtain from the administrative office of the court's website; and

SECTION 4. Tennessee Code Annotated, Section 36-3-625, is amended by deleting subdivision (f)(1).

SECTION 5. Tennessee Code Annotated, Section 36-3-625, is amended by deleting subsection (g) and substituting:

(g) A law enforcement agency designated by the court to receive a respondent's firearm pursuant to subdivision (a)(1) shall at the time of the surrender issue to the respondent a receipt identifying all firearms that have been surrendered. The law enforcement agency shall retain a copy of the receipt.

SECTION 6. Tennessee Code Annotated, Section 39-13-111, is amended by deleting subdivision (c)(6)(A) and substituting:

(A) Terminate physical possession of any firearm in the defendant's possession by transferring the firearm to a law enforcement agency designated by the court within forty-eight (48) hours of the issuance of the order; and

SECTION 7. Tennessee Code Annotated, Section 39-13-111, is amended by deleting subdivision (c)(6)(B) and substituting:

(B) Complete and return to the court in which the defendant was convicted within three (3) business days:

(i) An affidavit of firearms dispossession form; and

(ii) A copy of the receipt from the law enforcement agency demonstrating the law enforcement agency's receipt of the firearm.

SECTION 8. Tennessee Code Annotated, Section 39-13-111(c), is amended by adding the following as a new subdivision:

(8) The defendant may obtain an affidavit of firearms dispossession from the court or court clerk or the defendant may be directed to obtain a copy from the website of the administrative office of the courts.

SECTION 9. Tennessee Code Annotated, Section 39-13-111, is amended by adding the following as a new subsection:

(g) A law enforcement agency designated by the court to receive a respondent's firearm pursuant to subdivision (c)(6)(A) shall at the time of the surrender issue to the respondent a receipt identifying all firearms that have been surrendered. The law enforcement agency shall retain a copy of the receipt.

SECTION 10. Tennessee Code Annotated, Section 40-14-109, is amended by deleting subdivision (b)(4).

SECTION 11. The administrative office of the courts shall develop the affidavit of firearms dispossession form required by § 39-13-111(c)(6)(B)(i). Upon completion, the form must be posted on the website of the administrative office of the courts where it can be copied by defendants or provided by the court or court clerk upon conviction.

SECTION 12. For the purposes of creating the form required by Section 11, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2025, the public welfare requiring it, and applies to offenses committed on or after that date.