

Amendment No. 1 to HB1093

Farmer
Signature of Sponsor

AMEND Senate Bill No. 1075*

House Bill No. 1093

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-1301, is amended by deleting subdivision (10) and substituting:

(10) "Machine gun" means any firearm that is capable of shooting more than two (2) shots automatically, without manual reloading, by a single function of the trigger and includes any part, or combination of parts, designed and intended solely for use in converting a firearm into a machine gun;

SECTION 2. Tennessee Code Annotated, Section 39-17-1302(f)(2), is amended by deleting "(a)(2)-(4)" and substituting "(a)(2)".

SECTION 3. Tennessee Code Annotated, Section 39-17-1302(f)(3), is amended by deleting "(a)(5)" and substituting "(a)(3) or (a)(5)".

SECTION 4. Tennessee Code Annotated, Section 39-17-1302(c)(1), is amended by deleting "(a)(1)-(4)" and substituting "(a)(1)-(3)".

SECTION 5. Tennessee Code Annotated, Section 39-17-1302(d), is amended by deleting "or (a)(4)".

SECTION 6. Tennessee Code Annotated, Section 39-17-1307(b)(1), is amended by deleting ", and" and substituting ", or firearm ammunition and".

SECTION 7. Tennessee Code Annotated, Section 39-17-1307(c)(1), is amended by deleting "handgun and" and substituting "handgun or handgun ammunition and".

SECTION 8. Tennessee Code Annotated, Section 40-35-303, is amended by deleting subsection (a) and substituting:

(1) A defendant is eligible for probation under this chapter if the sentence actually imposed upon the defendant is ten (10) years or less; however, a defendant is not eligible for probation under this chapter if convicted of a violation of:

(A) Section 39-13-102(a)(1)(A)(iii), if the offense involved the use of a firearm from within a motor vehicle, as defined by § 55-1-103;

(B) Section 39-13-213(a)(2);

(C) Section 39-13-304;

(D) Section 39-13-402;

(E) Section 39-13-504;

(F) Section 39-13-532;

(G) Section 39-15-402;

(H) Section 39-17-417(b) or (i);

(I) Section 39-17-1003;

(J) Section 39-17-1004; or

(K) Section 39-17-1005.

(2) A defendant is also eligible for probation pursuant to § 40-36-106(e)(3).

SECTION 9. Tennessee Code Annotated, Section 40-35-501, is amended by deleting subdivision (cc)(2)(A) and substituting:

(A) Except as provided in subsection (gg), aggravated assault, as defined in § 39-13-102(a)(1)(A)(iii) or § 39-13-102(a)(1)(B)(iii), if the offense involved the use of a deadly weapon;

SECTION 10. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following as a new subsection:

(gg) Notwithstanding this section to the contrary, there is no release eligibility for a person committing the offense of aggravated assault, as defined in § 39-13-102(a)(1)(A)(iii), if the offense involved the use of a firearm from within a motor vehicle, as defined by § 55-1-103, on or after July 1, 2025. The person shall serve one hundred

percent (100%) of the sentence imposed by the court undiminished by any sentence reduction credits the person may be eligible for or earn. The person must be permitted to earn any credits for which the person is eligible, and the credits may be used for the purpose of increased privileges, reduced security classification, or for a purpose other than the reduction of the sentence imposed by the court.

SECTION 11. This act takes effect July 1, 2025, the public welfare requiring it.