

SENATE BILL 1094

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 13, relative to suicide prevention.

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

SECTION 1. This act is known and may be cited as the "Suicide Prevention Act of 2025."

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following as a new section:

39-17-1367.

(a)

(1) In an effort to prevent violence, including suicide, homicide, or mass shooting by persons with mental illness using firearms, the Tennessee bureau of investigation (TBI) shall establish a program for revocable voluntary waiver of firearms rights so as to avoid purchase, possession, and transportation of firearms by and sale of firearms to:

(A) A person who is voluntarily admitted to a public or private hospital or treatment resource for diagnosis, observation, and treatment of a mental illness or serious emotional disturbance in accordance with title 33, chapter 6, part 2. A person described in this subdivision (a)(1)(A) may submit the request form described in subdivision (a)(2) to a mental health counselor upon release from the hospital or treatment resource, who must then submit the form to the circuit court clerk in the county where the hospital or treatment resource is located; or

(B) A person who is concerned about the person's mental health and desires to enroll in the revocable voluntary waiver of firearms rights program. A person described in this subdivision (a)(1)(B) may submit the request form described in subdivision (a)(2) to the circuit court clerk in the county in which the person resides.

(2) The TBI shall create a request form for revocable voluntary waiver of firearms rights. The form must include:

(A) A statement at the top that the form is to be submitted to the clerk of the circuit court of the county in which the enrollee resides;

(B) A space for the enrollee to designate up to two (2) persons as guardian angels, if the enrollee wishes to do so, provide contact information for the guardian angels, and have the guardian angels sign indicating consent to be the enrollee's guardian angel;

(C) An explanation that:

(i) Reasonable efforts will be made to inform a guardian angel if the enrollee revokes the enrollee's enrollment in the revocable voluntary waiver of firearms rights program; and

(ii) A designated guardian angel has no obligation to remain available to receive or act upon the information received if the enrollee revokes enrollment in the revocable voluntary waiver of firearms rights program and that there is no civil or criminal liability for failure to receive or act upon the information;

(D) A declaration of any firearms that are in the ownership of the enrollee and the planned disposition of each firearm;

(E) An attestation that the enrollee does not currently possess or have access to any firearms at the time of enrolling in the revocable voluntary waiver of firearms rights program; and

(F) An acknowledgement by the enrollee that it is an offense for a person who is enrolled in the revocable voluntary waiver of firearms rights program to possess, purchase, or transport a firearm and that a violation of subsection (f) is a Class C misdemeanor.

(3) If the request form is submitted directly to the circuit court clerk, then the circuit court clerk must require the person to present a valid photo identification to verify the person's identity prior to accepting the form.

(4) The circuit court clerk must:

(A) Transmit the completed request form to the TBI within three (3) business days for entry into the revocable voluntary waiver of firearms rights program; and

(B) Transmit a copy of the completed request form to the department of safety within three (3) business days.

(5)

(A) The TBI must maintain and update the revocable voluntary waiver of firearms rights request data to be used, in accordance with § 39-17-1316, to advise a gun dealer if the TBI's records indicate a firearm buyer is prohibited from purchasing, possessing, or transporting a firearm.

(B) Upon receipt of the form, the department of safety must revoke the person's handgun carry permit under § 39-17-1351 and § 39-17-1366.

(6)

(A) No sooner than fourteen (14) calendar days after filing a revocable voluntary waiver of firearms rights request form, an enrollee may file a revocation of the revocable voluntary waiver of firearms rights with the clerk of the circuit court of the county in which the enrollee resides. The circuit court clerk must require a valid photo identification to verify the person's identity prior to accepting the revocation form. The filing of a revocation form allows the person executing the form to purchase, possess, or transport a firearm after the TBI has completed processing the form unless the person is otherwise ineligible to purchase or possess a firearm under federal or state law. The circuit court clerk must transmit the completed revocation request form to the TBI within three (3) business days and transmit a copy of the completed revocation request form to the department of safety within three (3) business days.

(B) By the end of the fourteenth business day following the date on which the request for revocation was received, the TBI must:

(i) Notify the person that the person's name has been removed from the revocable voluntary waiver of firearms rights program;

(ii) Make reasonable efforts to inform the person's guardian angel of the revocation if the person has designated a guardian angel;

(iii) Destroy all records related to the person's enrollment in the revocable voluntary waiver of firearms rights program; and

(iv) Remove the person from the national instant criminal background check system and other federal or state computer-

based systems used by law enforcement to identify prohibited purchasers of firearms in which the person's enrollment in the revocable voluntary waiver of firearms rights program was entered, unless the person is otherwise ineligible to purchase or possess a firearm under federal or state law.

(C) By the end of the fourteenth business day following the date on which the request for revocation was received, the department of safety must:

(i) Reinstate the person's handgun carry permit under § 39-17-1351 and § 39-17-1366, unless the person is otherwise ineligible to obtain a permit under state or federal law; and

(ii) Destroy all records related to the person's enrollment in the revocable voluntary waiver of firearms rights program after reinstating the person's handgun carry permit.

(b) A person who knowingly makes a false statement regarding the person's identity on an enrollment or revocation form for the revocable voluntary waiver of firearms rights commits perjury, as defined in § 39-16-702.

(c) The TBI is authorized to promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(d) Notwithstanding another law to the contrary, the bureau and the department of safety shall withhold from public disclosure all information regarding a request to be enrolled into or removed from the revocable voluntary waiver of firearms rights program and any other personal identifying information contained in or related to a revocable voluntary waiver of firearms rights, except that such information may be disclosed to a

law enforcement officer acting in the performance of official duties, a gun dealer as required by § 39-17-1316, the applicant with respect to the applicant's own information, or in the course of criminal prosecution for a violation of subsection (f) or § 39-16-702. Records obtained and produced pursuant to this section are confidential and are not an open record pursuant to title 10, chapter 7.

(e) A request form used to enroll in or withdraw from the revocable voluntary waiver of firearms rights program must not be considered by a court in a legal proceeding in which the person executing the form is a party, except that such form may be used in a criminal prosecution for a violation of subsection (f), § 39-16-702, or § 39-17-1316.

(f) It is an offense for a person who is enrolled in the revocable voluntary waiver of firearms rights program to purchase, possess, or transport a firearm. A violation of this subsection (f) is a Class C misdemeanor.

SECTION 3. Tennessee Code Annotated, Section 39-17-1316(a)(1)(A), is amended by adding the following new subdivision:

(vi) Are enrolled in the revocable voluntary waiver of firearms rights program pursuant to § 39-17-1367.

SECTION 4. For the purpose of implementation, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2026, the public welfare requiring it.