

Amendment No. 2 to HB1171

Terry
Signature of Sponsor

AMEND Senate Bill No. 1142*

House Bill No. 1171

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following as a new section:

(a) This section and Section 2 are known and may be cited as the "Firearms Information Privacy Protection Act."

(b) If a person intentionally discloses information that the person knows or reasonably should know was unlawfully obtained and that identifies another person as the purchaser or owner of a firearm, firearm ammunition, or firearm accessory for purposes of compiling or facilitating the compilation of a federal firearms registry or database or the confiscation of firearms, then the person disclosing the information is subject to a private right of action by the person whose information was disclosed.

(c) A court may award the person whose information was disclosed and prevails in an action under this section:

- (1) A minimum of seventy-five thousand dollars (\$75,000) in statutory damages per intentional violation of subsection (b);
- (2) Actual damages;
- (3) Punitive damages;
- (4) Other forms of equitable relief; and
- (5) Reasonable costs and attorney fees.

(d) This section does not apply to information that is provided to a government entity pursuant to § 38-8-116, § 38-8-123, § 39-17-1315, § 39-17-1316, § 39-17-1351, § 39-17-1365, or § 39-17-1366, federal law, or as part of a criminal investigation.

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

(a) It is an offense for any personnel, including elected and appointed officials, of this state, a local governmental entity, or a political subdivision of this state, when acting in the person's official capacity or disclosing information obtained in the person's official capacity, to intentionally disclose information that identifies another person as the purchaser or owner of a firearm, firearm ammunition, or firearm accessory for the purpose of:

(1) Compiling or facilitating the compilation of a federal firearms registry or database; or

(2) The confiscation of firearms.

(b) This section does not apply to information that is provided to a government entity pursuant to § 38-8-116, § 38-8-123, § 39-17-1315, § 39-17-1316, § 39-17-1351, § 39-17-1365, or § 39-17-1366, or as part of a criminal investigation.

(c) A violation of this section is a Class A misdemeanor.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.