

Amendment No. 1 to HB0469

Vaughan
Signature of Sponsor

AMEND Senate Bill No. 350*

House Bill No. 469

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 7, is amended by adding the following as a new section:

66-7-113.

(a) A landlord shall not prohibit lawful possession, carrying, transportation, or storage of a firearm, any part of a firearm, or firearm ammunition by a residential tenant:

(1) Within the residential tenant's leased residential premises;

(2) In a vehicle located in the parking area provided for residential tenants by the landlord of the leased residential premises; or

(3) Except as provided in subsection (b), in other locations controlled by the landlord, but only to the extent necessary to directly enter or exit the locations described in subdivision(a)(1) or (a)(2).

(b)

(1) A landlord may require that a residential tenant:

(A) Transport a firearm between a vehicle and the tenant's residence only while the firearm is concealed or holstered on the tenant, or stored within a carrying container; and

(B) Keep the firearm concealed, holstered, or stored within a carrying container while in other common areas, including an elevator or shared hallway.

(2) If a landlord requires residential tenants to transport or keep a firearm concealed, holstered, or stored within a carrying container as described in subdivision (b)(1)(A) or (b)(1)(B) and a tenant does not comply, then the landlord may:

(A) Request that the conduct cease or be brought into compliance; and

(B) Exercise any other remedies expressly agreed upon in the residential lease or rental agreement; provided, that such remedies do not prohibit lawful possession of firearms within the tenant's residence.

(c) This section only applies to residential leases and tenants, and does not apply to:

(1) Any premises leased to a state agency or department;

(2) A facility or entity that is licensed, regulated, or contracted with the department of mental health and substance abuse services or the department of children's services;

(3) A hospital licensed under title 68, chapter 11, part 2, including all buildings, structures, and grounds that are part of the hospital's licensed campus;

(4) A nursing home, home for the aged, adult care home, or assisted care living facility, as those terms are defined in § 68-11-201, or memory care facility, licensed under title 68, chapter 11;

(5) An independent living facility, as defined in § 68-11-201, with respect to any residence or dwelling unit that opens directly into an interior corridor or common area that serves as a means of ingress or egress to a home or facility type listed in subdivision (c)(4); or

(6) An educational property subject to § 39-17-1309.

(d) A tenant who is adversely affected by a violation of subsection (a) may bring a suit against the landlord for declaratory and injunctive relief, actual damages, punitive damages, and recovery of attorney fees.

(e) Civil liability does not arise for a landlord solely from complying with this section.

SECTION 2. Tennessee Code Annotated, Title 66, Chapter 28, Part 2, is amended by adding the following as a new section:

66-28-206.

(a) A landlord shall not prohibit lawful possession, carrying, transportation, or storage of a firearm, any part of a firearm, or firearm ammunition by a tenant:

(1) Within the tenant's dwelling unit;

(2) In a vehicle located in the parking area provided for tenants by the landlord of the dwelling unit; or

(3) Except as provided in subsection (b), in other locations controlled by the landlord, but only to the extent necessary to directly enter or exit the locations described in subdivision (a)(1) and (a)(2).

(b)

(1) A landlord may require that a tenant:

(A) Transport a firearm between a vehicle and the tenant's dwelling unit only while the firearm is concealed or holstered on the tenant, or stored within a carrying container; and

(B) Keep the firearm concealed, holstered, or stored within a carrying container while in other common areas, including an elevator or shared hallway.

(2) If a landlord requires tenants to transport or keep a firearm concealed, holstered, or stored within a carrying container as described in

subdivision (b)(1)(A) or (b)(1)(B) and a tenant does not comply, then the landlord may:

(A) Request that the conduct cease or be brought into compliance; and

(B) Exercise any other remedies expressly agreed upon in the rental agreement; provided, that such remedies do not prohibit lawful possession of firearms within the tenant's dwelling unit.

(c) This section does not apply to:

(1) Any premises leased to a state agency or department;

(2) A facility or entity that is licensed, regulated, or contracted with the department of mental health and substance abuse services or the department of children's services;

(3) A hospital licensed under title 68, chapter 11, part 2, including all buildings, structures, and grounds that are part of the hospital's licensed campus;

(4) A nursing home, home for the aged, adult care home, or assisted care living facility, as those terms are defined in § 68-11-201, or memory care facility, licensed under title 68, chapter 11;

(5) An independent living facility, as defined in § 68-11-201, with respect to any residence or dwelling unit that opens directly into an interior corridor or common area that serves as a means of ingress or egress to a home or facility type listed in subdivision (c)(4); or

(6) An educational property subject to § 39-17-1309.

(d) A tenant who is adversely affected by a violation of subsection (a) may bring a suit against the landlord for declaratory and injunctive relief, actual damages, punitive damages, and recovery of attorney fees.

(e) Civil liability does not arise for a landlord solely from complying with this section.

SECTION 3. Tennessee Code Annotated, Section 66-28-402(a), is amended by adding the following as a new subdivision:

(7) The rule or regulation does not violate § 66-28-206.

SECTION 4. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 5. This act takes effect January 1, 2027, the public welfare requiring it, and applies to agreements entered into, amended, extended, or renewed, and rules or regulations adopted or amended, on and after that date.