

Amendment No. 5 to HB1202

Clemmons

Signature of Sponsor

**AMEND Senate Bill No. 1325**

**House Bill No. 1202\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-6-815, is amended by deleting subsections (a)-(d) and substituting:

(a) Notwithstanding § 39-17-1309 or any other provision of title 39, chapter 17, part 13 to the contrary, and subject to subsection (b), a person assigned to a school in accordance with a memorandum of understanding between the chief of the appropriate law enforcement agency and the LEA is permitted to possess and carry a firearm on the grounds of the school at which the person is assigned.

(b) In order to possess and carry a handgun or firearm on school grounds pursuant to subsection (a), the person must:

(1) Be authorized to possess and carry a firearm pursuant to § 39-17-1351;

(2) Have the joint written authorization of the LEA's director of schools in conjunction with the principal of the school at which the person is assigned, to carry or possess a firearm on school grounds; and

(3)

(A) Be a law enforcement officer, or have prior service as a law enforcement officer, as defined in § 39-11-106;

(B) Comply with all laws, rules, and regulations of the POST commission; and

(C) Have successfully completed forty (40) hours in basic training in school policing as required by § 49-6-4217. Any such training must be approved by the LEA and the cost of the training, firearm, and ammunition is at the expense of the person seeking authorization to possess and carry a firearm on school grounds, not the LEA of the school at which the person is assigned.

(c) No later than ten (10) days after the director of schools authorizes a person to carry or possess a firearm on school grounds pursuant to subsection (a), the director shall notify the chief of the appropriate law enforcement agency of the authorization and provide the law enforcement agency with the person's basic information, including the person's name, address, and contact information.

(d) The following is confidential and not open for public inspection:

(1) A joint written authorization of an LEA's director of schools and the principal of the school at which a person is assigned and authorized to carry or possess a firearm on school grounds given pursuant to subdivision (b)(2);

(2) A notification transmitted to the chief of the appropriate law enforcement agency pursuant to subsection (c);

(3) The name and contact information of a person authorized to carry or possess a firearm on school grounds;

(4) Whether an LEA's director of schools and the principal of a school have, or have not, issued a joint written authorization for a person to carry or possess a firearm on school grounds; or

(5) Any other document, file, record, information, or material relating to the carrying or possessing of a firearm on school grounds that is authorized pursuant to this section and that is received by, transmitted to, maintained by, stored by, or compiled by the director of schools, the principal of the school, an LEA, or a city, county, or municipal law enforcement agency.

SECTION 2. Tennessee Code Annotated, Section 49-6-815, is amended by adding the following as new subsections:

(f) This section does not apply to:

(1) Schools within the department of children's services' LEA; or

(2) Schools within the department of correction's LEA.

(g) As used in this section, "appropriate law enforcement agency" means:

(1) The law enforcement agency that employs a school resource officer that is assigned to the school; or

(2) If no school resource officer is assigned to the school, the law enforcement agency with jurisdiction over the school.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.