

SENATE BILL 205

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 39  
and Title 70, relative to threatening animals.

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

SECTION 1. Tennessee Code Annotated, Title 70, Chapter 4, Part 1, is amended by adding the following language as a new section:

(a) As used in this section:

(1) "Enter" means the intrusion of any part of the body of a wild animal into the interior space of a structure;

(2) "Property" means commercial agricultural products, livestock, and domestic animals;

(3) "Serious bodily injury" means bodily injury that involves:

(A) A substantial risk of death;

(B) Protracted unconsciousness;

(C) Extreme physical pain;

(D) Protracted or obvious disfigurement; or

(E) Protracted loss or substantial impairment of a function of a bodily member, organ, or mental faculty; and

(4) "Wild animal" means any wild creature, the taking of which is authorized by the fish and game laws of this state.

(b) Notwithstanding § 70-4-102, § 70-6-102, or § 70-4-116, a person is legally justified in using self-defense to kill or injure a threatening wild animal when the person reasonably believes the action is necessary to protect the person or any other individual

against an imminent attack by the wild animal that will likely result in serious bodily injury or death.

(c) A person is legally justified in killing or injuring a threatening wild animal when the person reasonably believes the action is necessary to protect the person's property from imminent harm.

(d)

(1)

(A) A person shall notify the agency within twelve (12) hours after killing or seriously injuring a wild animal pursuant to this section.

(B) No wild animal killed shall be removed from the site, repositioned, retained, sold, or transferred without authorization from the agency.

(2) A violation of subdivision (d)(1) is a Class C misdemeanor.

(e) A person is not legally justified in killing or seriously injuring a threatening wild animal in self-defense or in defense of property if the person:

(1) Has the ability to safely retreat from the threatening animal and fails to do so, except when the animal enters a home, tent, camper, or other permanent or temporary living structure occupied at the time by the person or any other individual; or

(2) Intentionally, knowingly, or recklessly provokes or attracts the wild animal into a situation in which it is probable the wild animal will threaten the person, the person's property, or another individual.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.