

SENATE BILL 1097

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 13, relative to the sale or transfer
of firearms.

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

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

39-17-1305.

(a) As used in this section:

(1) "Family member" means a spouse, parent, grandparent, sibling, child, or grandchild, whether the relationship is by blood, marriage, or adoption; and

(2) "Gun dealer" means a person engaged in the business, as defined in 18 U.S.C. § 921, of selling, leasing, or otherwise transferring a firearm, whether the person is a retail dealer, pawnbroker, or otherwise.

(b) No person shall sell or transfer ownership of a firearm, or purchase or obtain ownership of a firearm, unless one (1) of the following applies:

(1) The seller or transferor is a gun dealer;

(2) The seller or transferor makes the sale or transfer to or through a gun dealer and obtains a receipt;

(3) The sale or transfer of ownership of the firearms is one (1) of the following:

(A) A firearm classified as an antique firearm under 18 U.S.C. § 921;

(B) A transfer of a firearm between gun dealers or between wholesalers and dealers; or

(C) A transfer of any firearm to a law enforcement or military agency;

(4) The transferor is transferring ownership of the firearm to a family member by gift, bequest, or inheritance, the transferee is not prohibited from possessing a firearm under this part, and the transferee is at least eighteen (18) years of age; or

(5) The transferor is transferring ownership of the firearm with the intent that the transfer be temporary, neither the transferor nor the transferee is prohibited from possessing a firearm under this part, and the purpose of the transfer is not prohibited by law.

(c) Any person who intentionally violates subsection (b) commits a Class B misdemeanor and shall be fined not less than five hundred dollars (\$500) nor more than ten thousand dollars (\$10,000) and may be imprisoned for a period not to exceed nine (9) months. A person convicted under this section shall also be prohibited from possessing a firearm for a period of two (2) years.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.