

Amendment No. 1 to HB0061

Farmer
Signature of Sponsor

AMEND Senate Bill No. 145

House Bill No. 61*

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

SECTION 1. Tennessee Code Annotated, Section 39-17-1316, is amended by deleting subsection (l) and substituting instead the following:

(l)

(1) The following transactions or transfers are exempt from the criminal history record check requirement of subdivision (c)(3):

(A) Transactions between licensed:

(i) Importers;

(ii) Manufacturers;

(iii) Dealers; and

(iv) Collectors who meet the requirements of subsection

(b) and certify prior to the transaction the legal and licensed status of both parties;

(B) Transactions or transfers between a licensed importer, licensed manufacturer, or licensed dealer and a bona fide law enforcement agency or the agency's personnel. However, all other requirements of subsection (c) are applicable to a transaction or transfer under this subdivision (l)(1)(B); and

(C) Transactions by a gun dealer, as defined in subdivision (b)(2), making occasional sales, exchanges, or transfers of firearms that comprise all or part of the gun dealer's personal collection of firearms.

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(2) The burden of proving the legality of any transaction or transfer under this subsection (l) is upon the transferor.

SECTION 2. Tennessee Code Annotated, Section 39-17-1316, is further amended by adding the following as a new subsection:

The criminal history records check required by this section shall not apply to an occasional sale of a used or second-hand firearm by a person who is not engaged in the business of importing, manufacturing, or dealing in firearms, pursuant to 18 U.S.C. §§ 921 and 923.

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