

Amendment No. 1 to HB1016

Hulsey
Signature of Sponsor

AMEND Senate Bill No. 1501

House Bill No. 1016*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-13-114, is amended by deleting the section and substituting:

(a) For purposes of this section:

(1) "School" means:

(A) An elementary school, middle school, or high school;

(B) A college of applied technology or postsecondary vocational or technical school; or

(C) A two-year or four-year college or university; and

(2) "School property" means any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any local education agency, private school board of trustees, or directors for the administration of any school.

(b) A person commits the offense of communicating a threat concerning a school employee or student if:

(1) The person communicates to another a threat to cause the death of or serious bodily injury:

(A) To a school employee and the threat is directly related to the employee's scope of employment; or

(B) To a student on school property or at a school-related activity;

(2) The threat involves the use of a firearm or other deadly weapon;

(3) The person to whom the threat is made reasonably believes that the person making the threat intends to carry out the threat; and

(4) The person making the threat intentionally engages in conduct that constitutes a substantial step in the commission of the threatened act and the threatened act and the substantial step when taken together:

(A) Are corroborative of the person's intent to commit the threatened act; and

(B) Occur close enough in time to evidence an intent and ability to commit the threatened act.

(c) Communicating a death threat concerning a school employee or student is a Class B misdemeanor punishable by a maximum term of imprisonment of thirty (30) days.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.