

HOUSE BILL 7091

By Harris

AN ACT to amend Tennessee Code Annotated, Title 39,
relative to threats of mass violence.

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

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

(a) A person commits an offense who knowingly threatens to commit an act of mass violence against another and frightens the other person.

(b)

(1) Except as provided in subdivision (b)(2), a violation of subsection (a) is a Class E felony.

(2) A violation of subsection (a) is a hate crime, and shall be punished one (1) classification higher than otherwise provided, if the defendant threatened to commit an act of mass violence against the other person by carrying a firearm, other than a handgun, in violation of § 39-17-1307, either:

(A) To a public place where a person knows, or reasonably should know, that two (2) or more persons are exercising their right of assembly pursuant to Article 1, Section 23 of the Constitution of Tennessee and the First Amendment to the United States Constitution;

(B) Within two hundred fifty feet (250') of a place where the person knows, or reasonably should know, that adult cabaret entertainment is being performed and two (2) or more persons are gathered; or

(C) Onto the premises of an event or establishment that the person carrying the firearm knows, or reasonably should know, is not open to the public, the person carrying the firearm does not have a right of admission, and two (2) or more persons are gathered.

(c) As used in this section:

(1) "Adult cabaret entertainment":

(A) Means adult-oriented performances that feature topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers; and

(B) Includes a single performance or multiple performances by an entertainer; and

(2) "Mass violence" means the same as provided in § 39-16-517.

SECTION 2. Tennessee Code Annotated, Section 39-17-1308(b), is amended by deleting the language "persons described in § 39-17-1307(b)(1)" and substituting "persons being prosecuted for a violation of Section 1 or persons described in § 39-17-1307(b)(1)".

SECTION 3. This act takes effect October 1, 2023, the public welfare requiring it.