

SENATE BILL 2624

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 13, relative to firearms.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-1317(b)(2), is amended by deleting the subdivision and substituting the following:

(2) Except as otherwise required by subsection (m), used for legitimate law enforcement purposes, at the discretion of the court; or

SECTION 2. Tennessee Code Annotated, Section 39-17-1317(c)(2), is amended by deleting the subdivision and substituting the following:

(2) Except as otherwise required by subsection (m), the proceeds from the sale must be deposited in the county or municipal general fund and allocated solely for law enforcement purposes;

SECTION 3. Tennessee Code Annotated, Section 39-17-1317(d), is amended by adding "except as otherwise required by subsection (m)" immediately preceding the period at the end of the subsection.

SECTION 4. Tennessee Code Annotated, Section 39-17-1317, is amended by adding the following as a new subsection:

(m) The department of safety, the Tennessee bureau of investigation, judicial district drug task forces, and all other state and local law enforcement agencies shall not participate in a firearm buyback program in which persons are offered cash or any other item of value in exchange for surrendering a firearm to the law enforcement agency, unless the amount of cash or the value of the item being offered in exchange for the

surrender of the firearm is equal to, or greater than, seventy-five percent (75%) of the fair market value of the firearm being surrendered. If a firearm that is surrendered to a law enforcement agency through a buyback program on or after the effective date of this act is sold pursuant to this section, all proceeds of the sale, minus a commission authorized by subdivision (c)(4) or other law, must be used to provide firearm safety instruction to the public. This subsection (m) does not apply to a voluntary surrender whereby a person surrenders a firearm to a law enforcement agency without receiving a payment or item of value in exchange for the firearm.

SECTION 5. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following as a new section:

(a) Notwithstanding any law, the department of safety, the Tennessee bureau of investigation, judicial district drug task forces, and all other state and local law enforcement agencies may:

(1) Accept donations of money, gift certificates, prepaid cards, and other items of value; and

(2) Give any item accepted as a donation under subdivision (a)(1) as an incentive to an individual who participates in firearm safety instruction.

(b) As used in this section, "prepaid card" includes a prepaid calling card used to make telephone calls and a prepaid card usable at multiple, unaffiliated merchants or at automated teller machines.

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.