

SENATE BILL 1296

By Johnson

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 8 and Title 39, Chapter 17, Part 3, relative to criminal offenses.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 8, is amended by adding the following new section:

(a) As used in this section:

(1) "Mass violence" means an act that a reasonable person would conclude could lead to the serious bodily injury or death of four (4) or more persons;

(2) "Means of communication" means direct and indirect verbal, written, or electronic communications, including graffiti, pictures, diagrams, telephone calls, voice over internet protocol calls, video messages, voicemail, electronic mail, social media posts, instant messages, chat group posts, text messages, and any other recognized means of conveying information; and

(3) "School" means any public or private day school, preschool, elementary school, middle school, high school, college of applied technology, postsecondary vocational or technical school, or two-year or four-year college or university.

(b) A person commits an offense who recklessly, by any means of communication, threatens to commit an act of mass violence and the threat causes another to reasonably expect the commission of an act of mass violence.

(c)

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

(2) A violation of subsection (b) is a Class D felony if:

(A) The violation involves a threat to commit an act of mass violence:

(i) On the property of a school, house of worship, or federal, state, or local government; or

(ii) At a live performance or event;

(B) The defendant has one (1) or more prior convictions for a violation of this section or § 39-16-517; or

(C) The defendant intentionally engages in substantial conduct to prepare for or carry out the threatened act, including, but not limited to, gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.

(d) In addition to any other penalty authorized by law, a sentencing court may order a person convicted of violating subsection (b) to pay restitution, including costs and damages resulting from the disruption of the normal activity that would have otherwise occurred but for the threat to commit an act of mass violence.

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 17, Part 3, is amended by adding the following as a new section:

(a) A person commits an offense who posts on a publicly accessible website the telephone number or home address of an individual with the intent to cause harm or a threat of harm to the individual or a member of the individual's family or household.

(b)

(1) Except as provided in subdivision (b)(2), an offense under this section is a Class B misdemeanor.

(2) An offense under this section is a Class A misdemeanor if the offense results in harm to:

(A) The individual whose telephone number or home address was posted on a publicly accessible website; or

(B) A member of the individual's family or household.

(c) This section does not apply to a public servant who posts information described in subsection (a) in the performance of the public servant's duties as required by or in accordance with state or federal law.

(d) As used in this section, "harm" means bodily injury or damage to property.

SECTION 3. This act takes effect July 1, 2025, the public welfare requiring it.