THE ATTACHED AMENDMENT(S) ARE TO BILLS THAT WILL BE HEARD IN COMMITTEE THE WEEK OF

August 10, 2020

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
_____

Amendment No._____

_____
Signature of Sponsor

AMEND <SB> **House Bill No. 8001***

by deleting the language "caused" from § 29-34-802(b) in the amendatory language of Section 1 and substituting instead the language "proximately caused".

AND FURTHER AMEND by deleting the language "caused" in the amendatory language of Section 2 and substituting instead the language "proximately caused".

AND FURTHER AMEND by deleting the language "caused" from the amendatory language of Section 4 and substituting instead the language "proximately caused".

AND FURTHER AMEND by deleting the language "was caused" from the amendatory language of Section 5 and substituting instead the language "was proximately caused".

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Date _____
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Clerk _____
Comm. Amdt. _____

Amendment No._____

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Signature of Sponsor

AMEND Senate Bill No. 8003 **House Bill No. 8002***

by deleting the amendatory language of subdivision (h)(1) from SECTION 9 and substituting instead the following:

(1) Notwithstanding subsection (a), for the purposes of this section "healthcare provider" means:

(A) Any provider licensed under this title;

(B) Any state-contracted crisis service provider that is employed by a facility licensed under title 33; or

(C) Any alcohol and drug abuse counselor licensed under title 68, chapter 24, part 6.

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Amendment No. _____

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Signature of Sponsor

AMEND Senate Bill No. 8005 **House Bill No. 8005***

by adding the following new section immediately preceding the penultimate section and renumbering the subsequent sections accordingly:

SECTION __. Tennessee Code Annotated, Section 39-14-414, is amended by adding the following as a new, appropriately designated subsection:

( ) State and local law enforcement authorities are authorized to enforce this section.

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
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Amendment No._____

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Signature of Sponsor

AMEND Senate Bill No. 8001 **House Bill No. 8006***

by deleting subsection (c) in Section 1 and substituting instead the following:

(c) As used in this section, "governmental entity" means a mayor, chief executive officer, governing body, board, commission, committee, or department of a municipality, county, or other political subdivision of the state of Tennessee.

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Time _____
Clerk _____
Comm. Amdt. _____

Amendment No. _____

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Signature of Sponsor

AMEND Senate Bill No. 8005 **House Bill No. 8005***

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

SECTION 1. Tennessee Code Annotated, Section 39-11-106(a)(38), is amended by adding the following as a new subdivision (E):

(E) For a violation of § 39-14-408(b)(1), the value of the property includes the fair market value of repairing, cleaning, and restoring the property;

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 1, is amended by adding the following language as a new section:

39-13-116.

(a) A person commits assault against a first responder, who is discharging or attempting to discharge the first responder's official duties, who:

(1) Knowingly causes bodily injury to a first responder; or

(2) Knowingly causes physical contact with a first responder and a reasonable person would regard the contact as extremely offensive or provocative, including, but not limited to, spitting, throwing, or otherwise transferring bodily fluids, bodily pathogens, or human waste onto the person of a first responder.

(b) A person commits aggravated assault against a first responder, who is discharging or attempting to discharge the first responder's official duties, who knowingly commits an assault under subsection (a), and the assault:

(1) Results in serious bodily injury to the first responder;

(2) Results in the death of the first responder;

(3) Involved the use or display of a deadly weapon; or

(4) Involved strangulation or attempted strangulation.

(c)

(1) Assault under subsection (a) is a Class A misdemeanor, and includes a mandatory fine of five thousand dollars ($5,000) and a mandatory minimum sentence of thirty (30) days incarceration. The defendant shall not be eligible for release from confinement until the defendant has served the entire thirty-day mandatory minimum sentence.

(2) Aggravated assault under subsection (b) is a Class C felony, and includes a mandatory fine of fifteen thousand dollars ($15,000) and a mandatory minimum sentence of ninety (90) days incarceration. The defendant shall not be eligible for release from confinement until the defendant has served the entire ninety-day mandatory minimum sentence.

(d) For purposes of this section, "first responder":

(1) Means a firefighter, emergency services personnel, POST-certified law enforcement officer, or other person who responds to calls for emergency assistance from a 911 call; and

(2) Includes capitol police officers, Tennessee highway patrol officers, Tennessee bureau of investigation agents, Tennessee wildlife resources agency officers, and park rangers employed by the division of parks and recreation in the department of environment and conservation.

SECTION 3. Tennessee Code Annotated, Section 39-13-102(e)(1)(B), is amended by deleting the subdivision and substituting the following:

(B) Notwithstanding the authorized fines established in § 40-35-111, a violation of this section is punishable by a fine not to exceed fifteen thousand dollars ($15,000), in addition to any other punishment authorized by § 40-35-111.

SECTION 4. Tennessee Code Annotated, Section 39-14-406(a), is amended by adding the following as a new subdivision (4):

(4) The person, while on the property, recklessly damages the property or personal property thereon.

SECTION 5. Tennessee Code Annotated, Section 39-14-406(c), is amended by deleting the subdivision and substituting instead the following:

(1) Aggravated criminal trespass is a Class B misdemeanor except as provided in subdivisions (c)(2) and (3).

(2) Aggravated criminal trespass that was committed in a habitation, in a building of any hospital, on state property, or on the campus, property, or facilities of any private or public school is a Class A misdemeanor.

(3) Aggravated criminal trespass is a Class E felony when committed:

(A) On residential property belonging to or occupied by a law enforcement officer, active duty member of the military, judge, or elected or appointed federal, state, or local official; and

(B) With intent to harass a person described in subdivision (c)(3)(A) due to the person's status as a law enforcement officer, active duty member of the military, judge, or elected or appointed federal, state, or local official.

SECTION 6. Tennessee Code Annotated, Section 39-14-408(a)(1), is amended by adding the following as a new subdivision (E):

(E) Intentionally marring, marking upon, or defacing, in a temporary or permanent manner, state or local government property or any entrance or curtilage to or fixture on the property, with the exception of temporary marking of sidewalks;

SECTION 7. Tennessee Code Annotated, Section 39-14-408, is amended by deleting subdivision (c)(1) and substituting instead the following:

(1)

(A) A person violating subdivision (b)(1) or (b)(3) is a principal under § 39-11-401 and shall be punished as for theft under § 39-14-105, after determining value under § 39-11-106.

(B) In addition to any sentence imposed for a violation of subdivision (b)(1) or (b)(3), the court shall include an order of restitution for any property damage or loss or cleaning and restoration expenses incurred as a result of the offense.

SECTION 8. Tennessee Code Annotated, Section 39-14-408(c), is amended by adding the following as a new subdivision (5):

(5) Notwithstanding subdivision (c)(1)(A), a person violating subdivision (b)(1) by intentionally marring, marking upon, or defacing, in a temporary or permanent manner, state or local government property or any entrance or curtilage to or fixture on state or local government property, where the value determination under § 39-11-106 is less than two thousand five hundred dollars ($2,500), commits a Class A misdemeanor, unless the state or local government property is designated as a historic landmark or listed on the national register of historic places, in which case the violation shall be punished in accordance with subdivision (c)(1). In addition, a second or subsequent violation of subdivision (b)(1) with respect to state or local government property shall be punished by a mandatory fine of five thousand dollars ($5,000).

SECTION 9. Tennessee Code Annotated, Section 39-17-301(2)(A), is amended by deleting the language "Assembling with or joining" and substituting instead the language "Joining".

SECTION 10. Tennessee Code Annotated, Section 39-17-301(2)(B), is amended by deleting the language "Being present,".

SECTION 11. Tennessee Code Annotated, Section 39-17-302, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class A misdemeanor. In any sentence imposed for a violation of this section, the court shall include a mandatory minimum sentence of thirty (30) days of incarceration and an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 12. Tennessee Code Annotated, Section 39-17-303, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class E felony. In any sentence imposed for a violation of this section, the court shall include a mandatory minimum sentence of forty-five (45) days of incarceration. In any sentence imposed for a violation of this section, the court shall include an order of restitution for any injury, property damage, or loss incurred as a result of the offense.

SECTION 13. Tennessee Code Annotated, Section 39-17-304, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class A misdemeanor. In any sentence imposed for a violation of this section, the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 14. Tennessee Code Annotated, Section 39-17-306, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class A misdemeanor.

SECTION 15. Tennessee Code Annotated, Section 39-17-307, is amended by deleting subsection (c) and substituting instead the following:

(1) A violation of subdivision (a)(1) is a Class A misdemeanor.

(2) A violation of subdivision (a)(2) is a Class C misdemeanor.

(3) Notwithstanding subdivision (c)(1), a violation of subdivision (a)(1) is a Class E felony if the obstruction prevents an emergency vehicle from accessing a highway or street, the obstruction prevents a first responder from responding to an emergency, or if

the obstruction prevents access to an emergency exit. For purposes of this subdivision (c)(3):

(A) "Emergency vehicle" means any vehicle of a governmental department or public service corporation when responding to an emergency, any vehicle of a police or fire department, and any ambulance;

(B) "Emergency exit" means a doorway in a building or facility used for egress to the outdoors only when there is an immediate threat to the health or safety of an individual; and

(C) "First responder" has the same definition as used in § 39-13-116(d).

SECTION 16. Tennessee Code Annotated, Section 39-14-412, is amended by deleting subsection (c) and substituting instead the following:

(c)

(1) A violation of subsection (a) is a Class B misdemeanor. All violations shall be punished by at least twenty-five (25) hours of community service work to be determined by the court.

(2) A violation of subsection (b) is a Class A misdemeanor. In any sentence imposed for a violation of subsection (b), the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 17. Tennessee Code Annotated, Section 39-14-414, is amended by deleting subsection (b) and substituting instead the following:

(b) As used in this section, "camping" means:

(1) Any of the following at any time between ten o'clock p.m. (10:00 p.m.) and seven o'clock a.m. (7:00 a.m.):

(A) Erecting, placing, maintaining, leaving, allowing to remain, or using a piece of furniture, tent, raised tarp, or other temporary shelter, structure, or furniture;

(B) Sleeping or making preparations to sleep, including laying down a sleeping bag, blanket, or other material used for bedding;

(C) Placing or storing personal belongings for future use, including storing food for consumption; or

(D) Carrying on cooking activities, whether by fire or use of artificial means, such as a propane stove or other heat-producing portable cooking equipment;

(2) Making a fire or preparing to make a fire; or

(3) Doing any digging or earth breaking.

SECTION 18. Tennessee Code Annotated, Section 39-14-414(d), is amended by deleting the subsection and substituting instead the following:

(d)

(1) It is an offense for a person to engage in camping on property owned by the state knowing that the area on which the camping occurs is not specifically designated for use as a camping area by the department or agency responsible for the land.

(2) The department, agency, official, or officials responsible for the operation, protection, or maintenance of the property may designate an area as a camping area by means of signage, advertisement, or other notice designed to make known its availability for camping. However, a person shall not be guilty of a violation of subdivision (d)(1) unless the person was notified by an official responsible for the protection of the property in question that camping is prohibited and continued to engage in camping or returned within twenty-four (24) hours of the warning and continued to engage in camping.

(3) A person is not guilty of a violation of subdivision (d)(1) if the person was given permission or authorization by the department, agency, or official

responsible for the operation, protection, or maintenance of the property to engage in camping on the property.

(4) Any items used to commit a violation of this section, including items abandoned at the location of the offense, are subject to confiscation, seizure, and claiming in accordance with subsection (e).

SECTION 19. Tennessee Code Annotated, Section 39-14-414(e), is amended by deleting the subsection and substituting instead the following:

(e) Any property subject to confiscation or seizure under subsection (d), unclaimed in connection with a violation of subsection (d), or left unattended after arrest or issuance of a citation for camping in violation of subsection (d), and taken into state custody shall be held by the state agency or its agent in a secure location for a period of ninety (90) days. Notice containing the contact information of the state agency or agent holding the property must posted at the nearest reasonable location to the place from which the property was removed. If the property is not claimed within ninety (90) days of being taken into custody, the property is deemed abandoned and the agency or agent may dispose of the property, unless the property is needed for evidence in a criminal proceeding. If a person claiming any such property within ninety (90) days of the property being taken into custody produces identification and signs a release form providing the person's name and contact information and swearing under oath that the property belongs to the person, the state agency or agent shall return the property to the person, unless the property is needed for evidence in a criminal proceeding, in which case the property shall be returned following the conclusion of that proceeding. The state agency or agent may charge such persons a reasonable storage fee for storing the property. The state and its employees, agents, and contractors are immune from liability for property confiscated in compliance with this subsection (e).

SECTION 20. Tennessee Code Annotated, Section 39-14-414, is amended by deleting subsection (f) and substituting instead the following:

(f) A violation of this section is a Class E felony. In any sentence imposed for a violation of this section, the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 21. Tennessee Code Annotated, Title 40, Chapter 11, Part 1, is amended by adding the following new section:

40-11-153.

(a) Any defendant arrested for the offense of unauthorized camping on state property, as defined in § 39-14-414; vandalism, as described in § 39-14-408(b)(1); rioting, as defined in § 39-17-302; aggravated rioting, as defined in § 39-17-303; inciting to riot, as defined in § 39-17-304; disrupting a meeting or procession, as described in § 39-17-306; or obstructing a highway, as described in § 39-17-307(a)(1) shall not be released within twelve (12) hours of the time of arrest. The magistrate or other official duly authorized to release the defendant may, however, release the defendant in less than twelve (12) hours if the official finds that the defendant is not likely to immediately resume the criminal behavior based on the circumstances of the arrest and the defendant's prior criminal history, if any.

(b) The findings of the magistrate or other official duly authorized to release the defendant must be reduced to writing. The written findings must be attached to the warrant and shall be preserved as a permanent part of the record. The arresting officer shall make official note of the time of the arrest in order to establish the beginning of the twelve-hour period required by this section.

SECTION 22. Tennessee Code Annotated, Section 38-6-102(b)(2), is amended by adding the following new subdivision:

(F) The bureau is also authorized, in consultation with the appropriate department or agency, to conduct an investigation into a violation of a criminal offense:

(i) In which the victim of the offense is a state employee or contractor who was acting in the employee or contractor's official capacity at the time of the offense;

(ii) That resulted in state property being damaged or destroyed as a result of the offense; or

(iii) That delayed the administration of state government at a significant cost to the state.

SECTION 23. On or before January 1, 2022, the district attorneys general conference shall file a report with the speakers of the senate and house of representatives and the chairs of the judiciary committees of the senate and house of representatives detailing by geographic location within this state:

(1) The aggregate number of reports of potential violations of criminal offenses described in subdivision (F) in Section 22 of this act;

(2) The action taken by the appropriate district attorney for each report; and

(3) The legal disposition of any case resulting from each report.

SECTION 24. Tennessee Code Annotated, Section 39-16-515, is amended by deleting subsection (c) and substituting instead the following:

(c) It is an offense for a person to knowingly shine or aim a light, laser, horn, or other mechanism towards the head of a law enforcement officer, firefighter, emergency medical technician, or other emergency service personnel while the individual is in the performance of the individual's official duties with intent to cause bodily injury.

(d)

(1) A violation of subsection (a) is a Class A misdemeanor.

(2) A violation of subsection (c) is a Class A misdemeanor, and includes a mandatory fine of five thousand dollars ($5,000) and a mandatory minimum sentence of thirty (30) days incarceration. The defendant shall not be eligible for

release from confinement until the defendant has served the entire thirty-day mandatory minimum sentence.

SECTION 25. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 26. This act shall take effect October 1, 2020, the public welfare requiring it, and applies to offenses committed on or after that date.

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Date _____
Time _____
Clerk _____
Comm. Amdt. _____
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Amendment No._____

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Signature of Sponsor

AMEND Senate Bill No. 8004 House Bill No. 8003*

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

SECTION 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of $692,500 for the sole purpose of implementing Senate Bill 8003 / House Bill 8002, relative to electronic delivery of health care, if such bill becomes a law.

SECTION 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of $474,400 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 8005 / House Bill 8005, relative to criminal law, if such bill becomes a law.

SECTION 3. From the supplemental appropriation to Section 42, Item 2, Chapter 651, Public Acts of 2020, made in Section 14, Item 2, Chapter 760, Public Acts of 2020, there is earmarked a sum of $68,000 for the sole purpose of funding the state share of the cost of any law of general application which requires, without local discretion, that incorporated municipalities or county governments increase expenditures as a direct consequence of passage of any general law during the 2020 second extraordinary session of the 111th General Assembly. It is the legislative intent that such funds appropriated by this section be divided and distributed to the various municipalities and counties as follows: fifty percent (50%) to municipalities on the basis of population and fifty percent (50%) to counties on the basis of population.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

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Date _____
Time _____
Clerk _____
Comm. Amdt. _____
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Amendment No._____

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Signature of Sponsor

AMEND Senate Bill No. 8005 House Bill No. 8005*

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

SECTION 1. Tennessee Code Annotated, Section 39-11-106(a)(38), is amended by adding the following as a new subdivision (E):

(E) For a violation of § 39-14-408(b)(1), the value of the property includes the fair market value of repairing, cleaning, and restoring the property;

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 1, is amended by adding the following language as a new section:

39-13-116.

(a) A person commits assault against a first responder, who is discharging or attempting to discharge the first responder's official duties, who:

(1) Knowingly causes bodily injury to a first responder; or

(2) Knowingly causes physical contact with a first responder and a reasonable person would regard the contact as extremely offensive or provocative, including, but not limited to, spitting, throwing, or otherwise transferring bodily fluids, bodily pathogens, or human waste onto the person of a first responder.

(b) A person commits aggravated assault against a first responder, who is discharging or attempting to discharge the first responder's official duties, who knowingly commits an assault under subsection (a), and the assault:

(1) Results in serious bodily injury to the first responder;

(2) Results in the death of the first responder;

(3) Involved the use or display of a deadly weapon; or

(4) Involved strangulation or attempted strangulation.

(c)

(1) Assault under subsection (a) is a Class A misdemeanor, and shall be punished by a mandatory fine of five thousand dollars ($5,000) and a mandatory minimum sentence of thirty (30) days incarceration. The defendant shall not be eligible for release from confinement until the defendant has served the entire thirty-day mandatory minimum sentence.

(2) Aggravated assault under subsection (b) is a Class C felony, and shall be punished by a mandatory fine of fifteen thousand dollars ($15,000) and a mandatory minimum sentence of ninety (90) days incarceration. The defendant shall not be eligible for release from confinement until the defendant has served the entire ninety-day mandatory minimum sentence.

(d) For purposes of this section, "first responder":

(1) Means a firefighter, emergency services personnel, POST-certified law enforcement officer, or other person who responds to calls for emergency assistance from a 911 call; and

(2) Includes capitol police officers, Tennessee highway patrol officers, Tennessee bureau of investigation agents, Tennessee wildlife resources agency officers, and park rangers employed by the division of parks and recreation in the department of environment and conservation.

SECTION 3. Tennessee Code Annotated, Section 39-13-102(e)(1)(B), is amended by deleting the subdivision and substituting the following:

(B) Notwithstanding the authorized fines established in § 40-35-111, a violation of this section is punishable by a fine not to exceed fifteen thousand dollars ($15,000), in addition to any other punishment authorized by § 40-35-111.

SECTION 4. Tennessee Code Annotated, Section 39-14-406(a), is amended by adding the following as a new subdivision (4):

(4) The person, while on the property, recklessly damages the property or personal property thereon.

SECTION 5. Tennessee Code Annotated, Section 39-14-406(c), is amended by deleting the subdivision and substituting instead the following:

(1) Aggravated criminal trespass is a Class B misdemeanor except as provided in subdivisions (c)(2) and (3).

(2) Aggravated criminal trespass that was committed in a habitation, in a building of any hospital, on state property, or on the campus, property, or facilities of any private or public school is a Class A misdemeanor.

(3) Aggravated criminal trespass is a Class E felony when committed:

(A) On residential property belonging to or occupied by a law enforcement officer, active duty member of the military, judge, or elected or appointed federal, state, or local official; and

(B) With intent to harass a person described in subdivision (c)(3)(A) due to the person's status as a law enforcement officer, active duty member of the military, judge, or elected or appointed federal, state, or local official.

SECTION 6. Tennessee Code Annotated, Section 39-14-408(a)(1), is amended by adding the following as a new subdivision (E):

(E) Intentionally marring, marking upon, or defacing, in a temporary or permanent manner, state or local government property or any entrance or curtilage to or fixture on the property, with the exception of temporary marking of sidewalks;

SECTION 7. Tennessee Code Annotated, Section 39-14-408, is amended by deleting subdivision (c)(1) and substituting instead the following:

(1)

(A) A person violating subdivision (b)(1) or (b)(3) is a principal under § 39-11-401 and shall be punished as for theft under § 39-14-105, after determining value under § 39-11-106.

(B) In addition to any sentence imposed for a violation of subdivision (b)(1) or (b)(3), the court shall include an order of restitution for any property damage or loss or cleaning and restoration expenses incurred as a result of the offense.

SECTION 8. Tennessee Code Annotated, Section 39-14-408(c), is amended by adding the following as a new subdivision (5):

(5) Notwithstanding subdivision (c)(1)(A), a person violating subdivision (b)(1) by intentionally marring, marking upon, or defacing, in a temporary or permanent manner, state or local government property or any entrance or curtilage to or fixture on state or local government property, where the value determination under § 39-11-106 is less than two thousand five hundred dollars ($2,500), commits a Class A misdemeanor, unless the state or local government property is designated as a historic landmark or listed on the national register of historic places, in which case the violation shall be punished in accordance with subdivision (c)(1). In addition, a second or subsequent violation of subdivision (b)(1) with respect to state or local government property shall be punished by a mandatory fine of five thousand dollars ($5,000).

SECTION 9. Tennessee Code Annotated, Section 39-17-301(2)(A), is amended by deleting the language "Assembling with or joining" and substituting instead the language "Joining".

SECTION 10. Tennessee Code Annotated, Section 39-17-301(2)(B), is amended by deleting the language "Being present,".

SECTION 11. Tennessee Code Annotated, Section 39-17-302, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class A misdemeanor. In any sentence imposed for a violation of this section, the court shall include a mandatory minimum sentence of thirty (30) days of incarceration and an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 12. Tennessee Code Annotated, Section 39-17-303, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class E felony. In any sentence imposed for a violation of this section, the court shall include a mandatory minimum sentence of forty-five (45) days of incarceration. In any sentence imposed for a violation of this section, the court shall include an order of restitution for any injury, property damage, or loss incurred as a result of the offense.

SECTION 13. Tennessee Code Annotated, Section 39-17-304, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class A misdemeanor. In any sentence imposed for a violation of this section, the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 14. Tennessee Code Annotated, Section 39-17-306, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class A misdemeanor.

SECTION 15. Tennessee Code Annotated, Section 39-17-307, is amended by deleting subsection (c) and substituting instead the following:

(1) A violation of subdivision (a)(1) is a Class A misdemeanor.

(2) A violation of subdivision (a)(2) is a Class C misdemeanor.

(3) Notwithstanding subdivision (c)(1), a violation of subdivision (a)(1) is a Class E felony if the obstruction prevents an emergency vehicle from accessing a highway or street, the obstruction prevents a first responder from responding to an emergency, or if

the obstruction prevents access to an emergency exit. For purposes of this subdivision (c)(3):

(A) "Emergency vehicle" means any vehicle of a governmental department or public service corporation when responding to an emergency, any vehicle of a police or fire department, and any ambulance;

(B) "Emergency exit" means a doorway in a building or facility used for egress to the outdoors only when there is an immediate threat to the health or safety of an individual; and

(C) "First responder" has the same definition as used in § 39-13-116(d).

SECTION 16. Tennessee Code Annotated, Section 39-14-412, is amended by deleting subsection (c) and substituting instead the following:

(c)

(1) A violation of subsection (a) is a Class B misdemeanor. All violations shall be punished by at least twenty-five (25) hours of community service work to be determined by the court.

(2) A violation of subsection (b) is a Class A misdemeanor. In any sentence imposed for a violation of subsection (b), the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 17. Tennessee Code Annotated, Section 39-14-414, is amended by deleting subsection (b) and substituting instead the following:

(b) As used in this section, "camping" means:

(1) Any of the following at any time between ten o'clock p.m. (10:00 p.m.) and seven o'clock a.m. (7:00 a.m.):

(A) Erecting, placing, maintaining, leaving, allowing to remain, or using a piece of furniture, tent, raised tarp, or other temporary shelter, structure, or furniture;

(B) Placing or storing personal belongings for future use, including storing food for consumption; or

(C) Carrying on cooking activities, whether by fire or use of artificial means, such as a propane stove or other heat-producing portable cooking equipment;

(2) Sleeping or making preparations to sleep, including laying down a sleeping bag, blanket, or other material used for bedding

(3) Making a fire or preparing to make a fire; or

(4) Doing any digging or earth breaking.

SECTION 18. Tennessee Code Annotated, Section 39-14-414(d), is amended by deleting the subsection and substituting instead the following:

(d)

(1) It is an offense for a person to engage in camping on property owned by the state knowing that the area on which the camping occurs is not specifically designated for use as a camping area by the department or agency responsible for the land.

(2) The department, agency, official, or officials responsible for the operation, protection, or maintenance of the property may designate an area as a camping area by means of signage, advertisement, or other notice designed to make known its availability for camping. However, a person shall not be guilty of a violation of subdivision (d)(1) unless the person was notified by an official responsible for the protection of the property in question that camping is prohibited and continued to engage in camping or returned within twenty-four (24) hours of the warning and continued to engage in camping.

(3) A person is not guilty of a violation of subdivision (d)(1) if the person was given permission or authorization by the department, agency, or official

responsible for the operation, protection, or maintenance of the property to engage in camping on the property.

(4) Any items used to commit a violation of this section, including items abandoned at the location of the offense, are subject to confiscation, seizure, and claiming in accordance with subsection (e).

SECTION 19. Tennessee Code Annotated, Section 39-14-414(e), is amended by deleting the subsection and substituting instead the following:

(e) Any property subject to confiscation or seizure under subsection (d), unclaimed in connection with a violation of subsection (d), or left unattended after arrest or issuance of a citation for camping in violation of subsection (d), and taken into state custody shall be held by the state agency or its agent in a secure location for a period of ninety (90) days. Notice containing the contact information of the state agency or agent holding the property must posted at the nearest reasonable location to the place from which the property was removed. If the property is not claimed within ninety (90) days of being taken into custody, the property is deemed abandoned and the agency or agent may dispose of the property, unless the property is needed for evidence in a criminal proceeding. If a person claiming any such property within ninety (90) days of the property being taken into custody produces identification and signs a release form providing the person's name and contact information and swearing under oath that the property belongs to the person, the state agency or agent shall return the property to the person, unless the property is needed for evidence in a criminal proceeding, in which case the property shall be returned following the conclusion of that proceeding. The state agency or agent may charge such persons a reasonable storage fee for storing the property. The state and its employees, agents, and contractors are immune from liability for property confiscated in compliance with this subsection (e).

SECTION 20. Tennessee Code Annotated, Section 39-14-414, is amended by deleting subsection (f) and substituting instead the following:

(f) A violation of this section is a Class E felony. In any sentence imposed for a violation of this section, the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 21. Tennessee Code Annotated, Title 40, Chapter 11, Part 1, is amended by adding the following new section:

40-11-153.

(a) Any defendant arrested for the offense of unauthorized camping on state property, as defined in § 39-14-414; vandalism, as described in § 39-14-408(b)(1); rioting, as defined in § 39-17-302; aggravated rioting, as defined in § 39-17-303; inciting to riot, as defined in § 39-17-304; disrupting a meeting or procession, as described in § 39-17-306; or obstructing a highway, as described in § 39-17-307(a)(1) shall not be released within twelve (12) hours of the time of arrest. The magistrate or other official duly authorized to release the defendant may, however, release the defendant in less than twelve (12) hours if the official finds that the defendant is not likely to immediately resume the criminal behavior based on the circumstances of the arrest and the defendant's prior criminal history, if any.

(b) The findings of the magistrate or other official duly authorized to release the defendant must be reduced to writing. The written findings must be attached to the warrant and shall be preserved as a permanent part of the record. The arresting officer shall make official note of the time of the arrest in order to establish the beginning of the twelve-hour period required by this section.

SECTION 22. Tennessee Code Annotated, Section 38-6-102(b)(2), is amended by adding the following new subdivision:

(F) The bureau is also authorized, in consultation with the appropriate department or agency, to conduct an investigation into a violation of a criminal offense:

(i) In which the victim of the offense is a state employee or contractor who was acting in the employee or contractor's official capacity at the time of the offense;

(ii) That resulted in state property being damaged or destroyed as a result of the offense; or

(iii) That delayed the administration of state government at a significant cost to the state.

SECTION 23. On or before January 1, 2022, the district attorneys general conference shall file a report with the speakers of the senate and house of representatives and the chairs of the judiciary committees of the senate and house of representatives detailing by geographic location within this state:

(1) The aggregate number of reports of potential violations of criminal offenses described in subdivision (F) in Section 22 of this act;

(2) The action taken by the appropriate district attorney for each report; and

(3) The legal disposition of any case resulting from each report.

SECTION 24. Tennessee Code Annotated, Section 39-16-515, is amended by deleting subsection (c) and substituting instead the following:

(c) It is an offense for a person to knowingly shine or aim a light, laser, horn, or other mechanism towards the head of a law enforcement officer, firefighter, emergency medical technician, or other emergency service personnel while the individual is in the performance of the individual's official duties with intent to cause bodily injury.

(d)

(1) A violation of subsection (a) is a Class A misdemeanor.

(2) A violation of subsection (c) is a Class A misdemeanor, and includes a mandatory fine of five thousand dollars ($5,000) and a mandatory minimum sentence of thirty (30) days incarceration. The defendant shall not be eligible for

release from confinement until the defendant has served the entire thirty-day mandatory minimum sentence.

SECTION 25. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 26. This act shall take effect September 15, 2020, the public welfare requiring it, and applies to offenses committed on or after that date.