

HOUSE BILL 550
By Shaw

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 16, relative to creating the offense of threatening a public official.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 5, is amended by adding the following new section:

39-16-5__.

(a) A person commits the offense of threatening a public official who knowingly threatens to harm a public official or the public official's immediate family and:

(1) The defendant knows the person threatened is a public official or an immediate family member of a public servant;

(2) The threat is directed at the public official or immediate family member because of the public official's official capacity; and

(3) The person threatened, at the time of the threat, reasonably believes that the defendant has the ability to carry out the threat.

(b) As used in this section, "public official" means an elected or appointed person in the executive, legislative or judicial branch of the state or any political subdivision thereof.

(c) As used in this section, "immediate family member" means the public official's spouse, mother, stepmother, father, stepfather or child.

(d) Threatening a public official is a Class E felony.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.