

Amendment No. 3 to SB0570

Kelsey
Signature of Sponsor

AMEND Senate Bill No. 570

House Bill No. 6*

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 8, is amended by adding the following new section:

49-6-815.

(a) Notwithstanding § 39-17-1309 or any other provision of title 39, chapter 17, part 13 to the contrary, the following people are permitted to possess and carry a firearm on the grounds of the school at which they are assigned:

(1) A person employed by an LEA as a faculty or staff member at a school within the LEA; or

(2) A person assigned to a school in accordance with a memorandum of understanding between the chief of the appropriate law enforcement agency and the LEA.

(b) In order to possess and carry a firearm on the grounds of the school pursuant to subsection (a), the person must:

(1) Be authorized to possess and carry a firearm pursuant to § 39-17-1351;

(2) Have the written authorization of the director of schools to carry or possess a firearm on school property; and

(3) Be a law enforcement officer, or have prior service as a law enforcement officer, as defined in § 39-11-106, and be in

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compliance with all laws, rules and regulations of the peace officer standards and training (POST) commission, and have successfully completed forty (40) hours in basic training in school policing as required by § 49-6-4217. Any such training shall be approved by the LEA and the cost of the training, firearm and ammunition shall be at the expense of the person seeking authorization and not the LEA.

(c)

(1) Within ten (10) days after the director of schools has authorized a person to carry or possess a firearm on school property pursuant to subdivision (a)(1) or (a)(2), the director shall notify the chief of the appropriate law enforcement agency of each such authorization.

(2) The notification pursuant to this subsection shall contain basic information about each such person including name, address, contact information and whether the person is authorized under subdivision (a)(1) or (a)(2).

(d) The written authorization of the director of schools given pursuant to subsection (a)(2), the notification transmitted to the chief of the appropriate law enforcement agency pursuant to subsection (c)(1), the names and contact information of any person authorized to carry or possess a firearm on school property pursuant to subsection (c)(2), any

listing or compilation of names or individual names of persons who are authorized to carry or possess a firearm on school property, whether the director of schools has or has not issued written authorization to carry or possess a firearm on school property, or any other document, file, record, information or material relating to the carrying or possessing of a firearm on school property pursuant to this section that is received by, transmitted to, maintained, stored or compiled by the director of schools, any LEA, or city, county or municipal law enforcement agency, shall be confidential and not open for public inspection.

(e) Nothing in § 49-3-315 shall be construed to require an LEA or a law enforcement agency of the county to assign or provide funding for a school resource officer as defined in § 49-6-4202 to any city school system within that county on the basis of the WFTEADA as defined by § 49-3-302. The providing of security or school resource officers by a sheriff shall be considered a law enforcement function and not a school operation or maintenance purpose that requires the apportionment of funds pursuant to § 49-3-315.

SECTION 2. This act shall take effect July 1, 2013 the public welfare requiring it and shall apply to the 2013-2014 academic year and each academic year thereafter.