

Amendment No. 1 to SB0222

Bell  
Signature of Sponsor

**AMEND Senate Bill No. 222\***

**House Bill No. 233**

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

SECTION 1. Tennessee Code Annotated, Section 39-14-203(a), is amended by adding the following language as a new subdivision (6):

(6) Possess, own, buy, sell, transfer, or manufacture cock fighting paraphernalia with the intent that the paraphernalia be used in promoting, facilitating, training for, or furthering cock fighting.

SECTION 2. Tennessee Code Annotated, Section 39-14-203, is amended by adding the following as a new, appropriately designated subsection:

(1) For purposes of this section, "cock fighting paraphernalia" means gaffs, slashers, heels, or any other sharp implement designed to be attached in place of the natural spur of a cock or game fowl.

(2) In determining whether a particular object is cock fighting paraphernalia, the court or other authority making that determination may, in addition to all other logically relevant factors, consider the following:

(A) Statements by the owner or anyone in control of the object concerning its use;

(B) Prior convictions, if any, of the owner or of anyone in control of the object for violation of any state or federal law relating to cock fighting or any other violation of this part;

(C) The presence and condition of any animal on the same property;

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(D) Instructions, oral or written, provided with the object concerning its use;

(E) Descriptive materials accompanying the object that explain or depict its use;

(F) The manner in which the object is displayed for sale;

(G) The existence and scope of legitimate uses for the object in the community; and

(H) Expert testimony concerning its use.

SECTION 3. Tennessee Code Annotated, Section 39-14-203(d)(1), is amended by deleting the subdivision and substituting instead the following:

(1) A violation of subdivision (a)(4) or (a)(6) is a Class A misdemeanor.

SECTION 4. This act shall take effect July 1, 2019, the public welfare requiring it.