

HOUSE BILL 1576

By Freeman

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 54; Section 38-3-119 and Title 39, Chapter 17, Part 13, relative to the transfer of firearms.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following as a new section:

39-17-1328.

(a) As used in this section:

(1) "Family member" means a spouse, parent, grandparent, sibling, child, or grandchild, whether the relationship is by blood, marriage, or adoption; and

(2) "Gun dealer" means a person engaged in the business, as defined in 18 U.S.C. § 921, of selling, leasing, or otherwise transferring a firearm, whether the person is a retail dealer, pawnbroker, or otherwise.

(b) No person shall sell or transfer ownership of a firearm, or purchase or obtain ownership of a firearm, unless one (1) of the following applies:

(1) The seller or transferor is a gun dealer;

(2) The seller or transferor makes the sale or transfer to or through a gun dealer and obtains a receipt;

(3) The sale or transfer of ownership of the firearm is one (1) of the following:

(A) A firearm classified as an antique firearm under 18 U.S.C. § 921;

(B) A transfer of a firearm between gun dealers or between wholesalers and dealers; or

(C) A transfer of any firearm to a law enforcement or military agency;

(4) The transferor is transferring ownership of the firearm to a family member by gift, bequest, or inheritance; the transferee is not prohibited from possessing a firearm under this part; and the transferee is at least eighteen (18) years of age; or

(5) The transferor is transferring ownership of the firearm with the intent that the transfer be temporary, neither the transferor nor the transferee is prohibited from possessing a firearm under this part, and the purpose of the transfer is not prohibited by law.

(c) Any person who intentionally violates subsection (b) commits a Class B misdemeanor and shall be fined not less than five hundred dollars (\$500) nor more than ten thousand dollars (\$10,000) and may be imprisoned for a period not to exceed nine (9) months. A person convicted under this section is prohibited from possessing a firearm for a period of two (2) years.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.