

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 339

VETOED BY THE GOVERNOR

HOUSE BILL NO. 962

**By Representatives Todd, McCord, Tindell, Evans, Fincher, Watson, Faulkner, Eldridge, Rowland, McCormick, Bass, Hackworth, Curt Cobb, Carr, Matheny, Mumpower, Floyd, Bell, Lollar, Casada, Rich, Lynn, Harrison, Shipley, Dean, Curtis Johnson, Phillip Johnson, Niceley, Tidwell, Shepard, Hill, Ramsey, Halford, Haynes, Swafford, Maggart, Hensley, West, Montgomery, Dennis, Harry Brooks, Matlock, Dunn, Hawk, Lundberg, Weaver, Roach, Ford, Moore, Fraley**

Substituted for: Senate Bill No. 1127

By Senators Jackson, Norris, Gresham

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to firearms.

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

SECTION 1. Tennessee Code Annotated, Section 39-17-1305(c), is amended by adding the following language as a new, appropriately designated subdivision:

(3)

(A) Authorized to carry a firearm under § 39-17-1351 who is not consuming beer, wine or any alcoholic beverage, and is within the confines of a restaurant that is open to the public and serves alcoholic beverages, wine or beer.

(B) As used in this subdivision (c)(3), "restaurant" means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served, such place being provided with adequate and sanitary kitchen and dining room equipment, having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. At least one (1) meal per day shall be served at least five (5) days a week, with the exception of holidays, vacations and periods of redecorating, and the serving of such meals shall be the principal business conducted.

SECTION 2. This act shall take effect on June 1, 2009, the public welfare requiring it.

**PASSED: May 14, 2009**



KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES



RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this day of 2009

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PHIL BREDESEN, GOVERNOR

“See Attachments”

\*\*Effective date July 14, 2009\*\*



PHIL BREDESEN  
THE GOVERNOR OF TENNESSEE

28 May 2009

The Honorable Kent Williams  
Speaker of the House  
19 Legislative Plaza  
Nashville, TN 37243

RE: House Bill 962

Dear Speaker Williams:

I am vetoing House Bill 962.

I am a strong supporter of the right to keep and bear arms, as guaranteed by both the Second Amendment to the United States Constitution and Article I, Section 26 of the Tennessee Constitution. I believe these provisions guarantee an individual right to bear arms, and I am unequivocally committed to preserving this American right.

Americans have also understood for more than two centuries that there are sensible rules that we apply to the exercise of these rights. I have been a life-long supporter of the responsible and appropriate handling and use of firearms. As a young man growing up in a small town, I attended a gun safety class at my high school sponsored by the National Rifle Association. A basic tenet taught at that class was this: "*Guns and alcohol don't mix.*" This seemingly common sense proposition is as true today as it was almost fifty years ago.

In recognition of this basic principle of firearm safety, Tennessee state law has long prohibited the possession of firearms in bars and restaurants that serve alcohol. House Bill 962 would remove this protection in a manner that I, along with many law enforcement officers, believe to be reckless and lacking basic safeguards to ensure public safety. The notion that this bill would permit one to carry a concealed weapon into a crowded bar at midnight on a Saturday night defies common sense, and I cannot sign such a measure into law. As you consider this veto, I respectfully ask the legislature to rethink this issue.

Respectfully,

Phil Bredesen



Public Chapter No. 339

KENT WILLIAMS  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

House of Representatives  
State of Tennessee

BURNEY T. DURHAM  
CHIEF CLERK  
OF THE HOUSE

OFFICE OF THE CHIEF CLERK

2nd FLOOR, STATE CAPITOL  
TENNESSEE GENERAL ASSEMBLY  
NASHVILLE, TENNESSEE 37243-0081  
(615) 741-2901

June 5, 2009

Honorable Tre Hargett  
Secretary of State  
1<sup>st</sup> Floor State Capitol  
Nashville, TN 37243

Dear Mr. Secretary Hargett:

Pursuant to Tennessee Code Annotated, Section 3-2-105, I am transmitting to you House Bill No. 962. On May 28, 2009, Governor Bredesen vetoed House Bill No. 962. Attached is a copy of Governor Bredesen's veto message. On June 3, 2009, the Tennessee House of Representatives, by a majority of all the members elected to the House, passed House Bill No. 962 notwithstanding the objections of the Governor. House Bill No. 962 was then sent to the Tennessee Senate along with the Governor's veto message. On June 4, 2009, a message was received from the Tennessee Senate indicating that on that date the Tennessee Senate passed House Bill No. 962, by a majority vote of all members elected to the Senate, notwithstanding the objections of the Governor.

Sincerely,

Burney T. Durham  
Chief Clerk of the House

cc: Speaker Williams  
Lieutenant Governor Ramsey  
Representative Curry Todd  
Senator Doug Jackson

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GOVERNMENT OF STATE  
STATE CAPITOL

