



# State of Tennessee

## PUBLIC CHAPTER NO. 698

### SENATE BILL NO. 1559

By Bell, Stevens, Bailey, Bowling, Jackson, Roberts

Substituted for: House Bill No. 1644

By Goins, Lamberth, Terry, Zachary, Weaver, Williams, Dawn White, Hicks, Sparks, Womick, Rogers, Faison, Kane, Durham, Mark White, Littleton, Lynn, Powers, Moody, Butt, Halford, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 39; Title 49, Chapter 7, Part 1 and Title 49, Chapter 50, Part 8, relative to the carrying of handguns on the property of certain private schools and educational institutions.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 50, Part 8, is amended by adding the following as a new section:

#### **49-50-803.**

(a)(1) The board or governing entity of each private K-12 school, or the chief administrative officer if the school does not have a board or governing entity, may establish a handgun carry policy for any property on which the school is located that is owned or operated by the school and for any building or structure located on the school property.

(2) Any handgun carry policy adopted by the board or governing entity, or the chief administrative officer when appropriate, may:

(A) Prohibit the carrying or possession of a handgun on the property of, or in a building located at, the private school;

(B) Permit the carrying of handguns by persons qualified under subsection (b) on all property constituting the campus of the school and in all buildings owned or operated by the school; or

(C) Permit the carrying of handguns by persons qualified under subsection (b) in certain areas on the property of the school or in certain buildings, but prohibit the carrying in other areas or buildings.

(b) If the board or governing entity, or the chief administrative officer when appropriate, permits the possession of handguns in accordance with this section at the private school, the following rules and limitations shall apply:

(1) No person who is otherwise prohibited from possessing a handgun is permitted to carry a handgun on private school property;

(2) The person must have a valid Tennessee handgun carry permit, pursuant to § 39-17-1351; and

(3) No private institution that permits the possession of handguns on the property owned or operated by the institution pursuant to this section shall be required to post signs as required by § 39-17-1309(d).

(c)(1) The handgun carry policy for each private school shall be reduced to writing, disseminated in a manner likely to ensure that it is known by students

attending the school, the parent or guardian of each student, the faculty and other employees, and others who may go upon the grounds or enter a building on property owned or operated by the school. The policy shall be made available in the principal's office to anyone desiring a copy and distributed to the parents of children enrolled in the school by a method or methods reasonably likely to ensure dissemination of the policy, such as e-mails, text messaging, or posting on the school's web site.

(2) The policy shall go into effect thirty (30) days after it is adopted and disseminated as provided in this subsection (c).

(d) If a private K-12 school does not adopt a handgun carry policy in accordance with subsection (a), then the carrying or possession of a firearm is prohibited in accordance with § 39-17-1309.

(e) The chief administrative officer shall submit a copy of the handgun carry policy for the school to the sheriff's department and, if applicable, police department with jurisdiction over the school.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following new section:

**49-7-161.**

(a)(1) The board or governing entity of each private institution of higher education, whether for-profit or nonprofit, or the chief administrative officer if the institution does not have a board or governing entity, may establish a policy for the carrying of handguns on the campus and grounds of any property owned or operated by the institution, and in any building or structure located on property owned or operated by the institution.

(2) Any handgun carry policy adopted by the board or governing entity, or the chief administrative officer when appropriate, may:

(A) Prohibit the carrying or possession of a handgun on all property owned or operated by the institution, and in any building or structure located on property owned or operated by the institution;

(B) Permit the carrying of handguns by persons qualified under subsection (b) on all property owned or operated by the institution, and in any building or structure located on property owned or operated by the institution; or

(C) Permit the carrying of handguns by persons qualified under subsection (b) in certain areas on the property of the institution or in certain buildings, and prohibit the carrying in other areas or buildings.

(b) If the board or governing entity, or the chief administrative officer when appropriate, permits the possession of handguns at the private institution, the following rules and limitations shall apply:

(1) No person who is otherwise prohibited from possessing a handgun is permitted to carry a handgun on property owned or operated by the institution;

(2) The person must have a valid Tennessee handgun carry permit, pursuant to § 39-17-1351; and

(3) No private institution that permits the possession of handguns on the property owned or operated by the institution pursuant to this section shall be required to post signs as required by § 39-17-1309(d).

(c)(1) The handgun carry policy for each private institution shall be reduced to writing and disseminated in a manner most likely to ensure that it is known by students attending the institution; the parent or guardian of each student; the faculty, staff, and employees of the institution; and others who may go upon the grounds or enter a building on property owned or operated by the institution. The policy shall be made available in the administration building to anyone desiring a copy, distributed to all interested parties, including parents of minor students enrolled at the institution, and others by a method or

methods reasonably likely to ensure dissemination of the policy, such as e-mails, text messaging, or posting on the institution's web site.

(2) The policy shall go into effect thirty (30) days after it is adopted and disseminated as provided in this subsection (c).

(d) If a private institution does not adopt a handgun carry policy in accordance with subsection (a), then the carrying or possession of a firearm is prohibited in accordance with § 39-17-1309.

(e) The chief administrative officer shall submit a copy of the handgun carry policy for the institution to the sheriff's department and, if applicable, police department with jurisdiction over the institution.

SECTION 3. Tennessee Code Annotated, Section 39-17-1309, is amended by adding the following new subdivision to subsection (e):

( ) Persons permitted to carry a handgun on the property of private K-12 schools by § 49-50-803, and persons permitted to carry a handgun on the property of private for-profit or nonprofit institutions of higher education pursuant to § 49-7-161; provided, that this subdivision shall apply only:

(A) To the school or institution where the person is located, when that school or institution has adopted a handgun carry policy pursuant to § 49-50-803 or § 49-7-161;

(B) While the person is on the property or grounds covered by the private school or institution's policy; and

(C) When the person is otherwise in compliance with the policy adopted by the private school or institution.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 1559

PASSED: March 24, 2016

  
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RON RAMSEY  
SPEAKER OF THE SENATE

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 6<sup>th</sup> day of April 2016

  
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BILL HASLAM, GOVERNOR