

**PUBLIC CHAPTER NO. 1141****HOUSE BILL NO. 583****By Representatives DuBois, Matheny, Jim Cobb, Coley, Campfield****Substituted for: Senate Bill No. 781****By Senator Bunch**

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, relative to death threats.

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

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

§ 39-13-114.

(a) For purposes of this section, "school" means any:

- (1) Elementary school, middle school or high school;
- (2) Technology center or postsecondary vocational or technical school; or
- (3) Two-year or four-year college or university.

(b) A person commits the offense of communicating a threat concerning a school employee if:

- (1) The person communicates to another a threat to cause the death of or serious bodily injury to a school employee and the threat is directly related to the employee's scope of employment;
- (2) The threat involves the use of a firearm or other deadly weapon;
- (3) The person to whom the threat is made reasonably believes that the person making the threat intends to carry out the threat;
- (4) The person making the threat intentionally engages in conduct that constitutes a substantial step in the commission of the threatened act and the threatened act and the substantial step when taken together:

(A) Are corroborative of the person's intent to commit the threatened act; and

(B) Occur close enough in time to evidence an intent and ability to commit the threatened act.

(c) Communicating a death threat concerning a school employee is a Class B misdemeanor punishable by a maximum term of imprisonment of thirty (30) days.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.

**PASSED: May 21, 2008**

  
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JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
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RON RAMSEY, SPEAKER  
SENATE OF THE SENATE

**APPROVED this 13th day of June 2008**

  
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PHIL BREDESEEN, GOVERNOR