

HOUSE BILL 1646

By Hall

AN ACT to amend Tennessee Code Annotated, Section 37-1-134 and Title 39, Chapter 14, relative to criminal offenses against an animal.

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

SECTION 1. This act is known and may be cited as "Joker's Law."

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 14, Part 2, is amended by adding the following as a new section:

(a) It is an offense to knowingly and unlawfully cause serious bodily injury or kill a police dog, fire dog, search and rescue dog, service animal, or police horse without the owner's effective consent.

(b) An offense under subsection (a) is a Class B felony.

(c) A person is justified in killing or injuring the animal of another if the person acted under a reasonable belief that the animal was creating an imminent danger of death or serious bodily injury to that person or another or an imminent danger of death to an animal owned by that person. A person is not justified in killing or injuring the animal of another if, at the time of the killing, the person is trespassing upon the property of the owner of the animal. The justification for killing or injuring the animal of another authorized by this subsection (c) shall not apply to a person who, while engaging in or attempting to escape from criminal conduct, kills or injures a police dog that is acting in its official capacity. In that case, subsection (a) applies to the person.

SECTION 3. Tennessee Code Annotated, Section 39-14-205, is amended by deleting the section and substituting:

(a)

(1) It is an offense to knowingly and unlawfully kill the animal of another without the owner's effective consent.

(2) A violation of subdivision (a)(1)(A) is theft of property, graded according to the value of the animal, and punished in accordance with § 39-14-105.

(b) A person is justified in killing the animal of another if the person acted under a reasonable belief that the animal was creating an imminent danger of death or serious bodily injury to that person or another or an imminent danger of death to an animal owned by that person. A person is not justified in killing the animal of another if, at the time of the killing, the person is trespassing upon the property of the owner of the animal.

SECTION 4. Tennessee Code Annotated, Section 37-1-134, is amended by deleting subdivision (a)(1)(A) and substituting:

(A) The child was:

(i) Less than fourteen (14) years of age at the time of the alleged conduct and charged with first degree murder, second degree murder, killing or causing serious bodily injury to a police dog, fire dog, search and rescue dog, service animal, or police horse, or an attempt to commit any such offenses;

(ii) Fourteen (14) years of age or more but less than seventeen (17) years of age at the time of the alleged conduct and charged with the offense of first degree murder, second degree murder, rape, aggravated rape, rape of a child, aggravated rape of a child, aggravated robbery, especially aggravated robbery, aggravated burglary, especially aggravated burglary, kidnapping, aggravated kidnapping, especially aggravated kidnapping, commission of an act of terrorism, carjacking, killing or causing serious bodily injury to a police dog, fire

dog, search and rescue dog, service animal, or police horse, or an attempt to commit any such offenses;

(iii) Sixteen (16) years of age or more at the time of the alleged conduct and charged with the offense of robbery or attempt to commit robbery; or

(iv) Seventeen (17) years of age or more at the time of the alleged conduct;

SECTION 5. This act takes effect July 1, 2022, the public welfare requiring it.