



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Air Rifles

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Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Air Rifles

## Private Acts of 1961 Chapter 372

**SECTION 1.** That, as used in this Act:

(1) "Air Rifles" mean and include any air gun, air pistol, spring gun, spring pistol, B-B gun, or any implement that is not a firearm, which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm.

(2) "Dealer" means any person, partnership, association, or corporation engaged in this business of selling at retail or renting any of the articles included in the definition of air rifles.

**SECTION 2.** That: (a) It shall be unlawful for any dealer in Shelby County to sell, lend, rent, give, or otherwise transfer an air rifle to any person under eighteen (18) years, where the dealer knows, or has reasonable cause to believe, the person to be under the age of eighteen (18) years, or where such dealer has failed to make reasonable inquiry relative to the age of such person, and such person is under eighteen (18) years of age,

(b) It shall be unlawful for any person in Shelby County to sell, give, lend, or otherwise transfer any air rifle to any person under eighteen (18) years of age, except where the relationship of parent and child, guardian and ward, or adult instructor and pupil exists between such person and the person under eighteen (18) years of age.

**SECTION 3.** That: (a) It shall be unlawful for any person in Shelby County under eighteen (18) years of age to carry any air rifle on the public streets, roads, highways or public lands within said County unless accompanied by an adult; provided, however, that said person under eighteen (18) years of age may carry such rifle unloaded in a suitable case, or securely wrapped.

(b) It shall be unlawful for any person in Shelby County to discharge any air rifle from or across any street, sidewalks, road, highway or public land of said County or any public place in said County except on a properly constructed target range.

**SECTION 4.** That notwithstanding any inconsistent provision of this Act, it shall be lawful for any person in Shelby County under eighteen (18) years of age to have in his possession any air rifle, if it is:

(1) Kept within his domicile.

(2) Used by the person under eighteen years of age and he is duly enrolled member of any Club, team or society organized for educational purposes and maintaining as part of its facilities or having written permission to use an indoor or outdoor rifle range under the supervision, guidance and instruction of a responsible adult, and then only, if said air rifle is actually being used in connection with the activities of said club, team or society under the supervision of a responsible adult.

(3) Used in or on any private grounds or residence under circumstances when such air rifle can be fired, discharged or operated in such a manner as not to endanger persons or property, and then only, if it is used in such manner as to prevent the projectile from transversing any grounds or space outside the limits of such grounds or residence.

**SECTION 5.** That the provisions of this Act shall not be construed to prohibit sales of air rifles:

(1) By wholesale dealers or jobbers.

(2) To be shipped out of Shelby County.

(3) To be used at a target range operated in accordance with Section 4 of this Act or by members of the armed services of the United States or veterans' organizations.

**SECTION 6.** That the sheriff or police officer shall seize, take, remove or cause to be removed, at the expense of the owner, all air rifles used or offered for sale in Shelby County in violation of this Act.

**SECTION 7.** That: (a) Any dealer violating the provisions of subsection (a) of Section 2 of this Act shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of Fifty Dollars (\$50.00) for each offense.

(b) Any person violating any other provision of this Act shall, upon conviction, be sentenced to pay a fine of Twenty-Five Dollars (\$25.00).

**SECTION 8.** That this Act shall have no effect unless the same shall have been approved by a two-third vote of the Quarterly County Court of any County to which it may apply within ninety (90) days after the sine die adjournment of the General Assembly of the State of Tennessee. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve, or the reverse, and shall be certified by him to the Secretary of State.

**SECTION 9.** That this Act shall take effect from and after its passage, the public welfare requiring it.  
Passed: March 16, 1961.

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