

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 284

HOUSE BILL NO. 417

By Representatives Matheny, Curt Cobb, Fraley, Faulkner, Lollar

Substituted for: Senate Bill No. 666

By Senator Stewart

AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 8, Part 1, relative to the employment of private special deputies for security and law enforcement.

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

SECTION 1. Tennessee Code Annotated, Section 38-8-118(a), is amended by designating the existing language as subdivision (1) and by adding the following language to be designated as subdivision (2):

(2) An independent contractor who provides on-site security and law enforcement capability for federal government property which is an air force base and home to a development center that is the most advanced and largest complex of flight simulation test facilities in the world may employ one (1) or more persons to act as private special deputies for such purposes.

SECTION 2. Tennessee Code Annotated, Section 38-8-118(b)(1), is amended by designating the existing language as subdivision (b)(1)(A), and by adding the following language to be designated as subdivision (B):

(B) Upon employing a person for security and law enforcement purposes pursuant to subdivision (a)(2), the independent contractor shall seek appointment of the person as a private special deputy by the sheriff of a county where the government property is located, in accordance with § 8-8-212.

SECTION 3. Tennessee Code Annotated, Section 38-8-118(c), is amended by designating the existing language as subdivision (1) and by adding the following language to be designated as subdivision (2):

(2) The authority granted to private special deputies pursuant to subdivision (b)(1)(B) extends to all facilities or property over which the independent contractor employing such deputies has been given authority by the employment governmental entity to provide on-site security and law enforcement services, including any public roads or rights-of-way that are contiguous to, within the perimeter of, or connect between the facilities, property, or interests of the governmental property.

SECTION 4. Tennessee Code Annotated, Section 38-8-118(d)(2)(A), is amended by inserting the language "or with the independent contractor providing on-site

security and law enforcement capability for federal government property described in subdivision (a)(2)” between the language “management company” and the language “that employs”.

SECTION 5. Tennessee Code Annotated, Section 38-8-118, is further amended by deleting subdivision (d)(2)(C) in its entirety and by substituting instead the following language:

(C) The crime or incident to which the private special deputy was dispatched was outside the boundaries of the governmental property described in subdivision (a)(2) or resort area, as established in subsection (c).

SECTION 6. This act shall take effect July 1, 2009, the public welfare requiring it.

PASSED: May 4, 2009


KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 21st day of May 2009


PHIL BREDESEN, GOVERNOR