

HOUSE BILL 961

By Whitson

AN ACT to amend Tennessee Code Annotated, Section 38-3-113, relative to immunity.

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

SECTION 1. Tennessee Code Annotated, Section 38-3-113, is amended by designating the current language as subsection (a) and adding the following new subsection:

(b) A POST-certified law enforcement officer in this state who is employed full-time by a county, municipality, or metropolitan form of government and authorized to make arrests shall, when making an arrest in this state for a crime that was committed outside of the law enforcement officer's jurisdiction, have the same legal status and immunity from suit as a state or local law enforcement officer making an arrest within the state or local law enforcement officer's jurisdiction if the arrest is made under the following circumstances:

(1) The officer reasonably believes that the person arrested has committed a felony in the officer's presence or is committing a felony in the officer's presence;

(2) The officer reasonably believes the person arrested has committed a misdemeanor that amounts to a breach of the peace in the officer's presence or is committing a misdemeanor that amounts to a breach of the peace in the officer's presence; or

(3) The officer is rendering assistance to a law enforcement officer of this state in an emergency or at the request of the officer.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.