

HOUSE BILL 1521

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 38,
relative to law enforcement.

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

SECTION 1. Tennessee Code Annotated, Section 38-8-107(a), is amended by deleting the subsection and substituting instead the following:

(a) The commission shall issue a certificate of compliance to any person who meets the qualifications for employment and satisfactorily completes an approved recruit training program. All officers employed on and after January 1, 2024, must:

(1) Enroll in an approved recruit training program within six (6) months of their date of employment;

(2) Successfully complete an approved recruit training program as required by this part; and

(3) Successfully complete an annual in-service training session appropriate for their rank and responsibilities, which must include de-escalating training, as described in § 38-8-128; and

(4) Have been certified annually by a Tennessee licensed healthcare provider qualified in the psychiatric or psychological field as being free from any impairment, as set forth in the current edition of the *Diagnostic and Statistical Manual of Mental Disorders* (DSM) of the American Psychiatric Association at the time of the examination, that would, in the professional judgment of the examiner, affect the applicant's ability to perform an essential function of the job, with or without a reasonable accommodation.

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following new section:

Each law enforcement agency must annually select, at random, at least five percent (5%) of the agency's employees who are certified law enforcement officers to undergo a mental health evaluation as described in § 38-8-107(a)(4), in addition to the required initial and annual mental health evaluations. If a law enforcement agency has fewer than twenty (20) employees who are certified law enforcement officers, then the agency must select one (1) employee to undergo the mental health evaluation required by this section.

SECTION 3. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following as a new section:

By January 1, 2024, each law enforcement agency must adopt a policy that limits the circumstances under which a law enforcement officer may pursue a suspect or person of interest using a motor vehicle. The policy shall include a requirement that an officer notify the field supervisor when initiating such a pursuit.

SECTION 4. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following as a new section:

By January 1, 2024, each law enforcement agency must adopt a policy for traffic stops, which must state the reasonable expectations that a law enforcement officer has for the conduct of the driver and occupants of a motor vehicle that has been stopped and the reasonable expectations a member of the public may have for a law enforcement officer performing a traffic stop. The law enforcement agency must publish a copy of the policy on the agency's website and any social media accounts the agency maintains, if any, and provide a copy to high schools within the agency's jurisdiction for use in driver's education courses.

SECTION 5. This act takes effect July 1, 2023, the public welfare requiring it.