



State of Tennessee

PUBLIC CHAPTER NO. 753

HOUSE BILL NO. 2209

By Representative Capley

Substituted for: Senate Bill No. 2257

By Senator Walley

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 10, relative to constables.

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

SECTION 1. Tennessee Code Annotated, Section 8-10-110(a), is amended by deleting the subsection and substituting instead:

(a)

(1) If a constable elected under this part is indicted or formally charged with a misdemeanor involving gambling or moral turpitude, or a felony, then the court with jurisdiction over the criminal offense shall place the constable on administrative leave by issuing an ex parte order placing such constable on administrative leave pending a preliminary hearing.

(2) Once a constable is placed on administrative leave pursuant to subdivision (a)(1), the court shall conduct a preliminary hearing, pursuant to Rule 5 of the Tennessee Rules of Criminal Procedure, to determine whether probable cause exists to establish that the constable committed a misdemeanor involving gambling or moral turpitude, or a felony. If the court finds probable cause exists, then the court shall enter an order placing the constable on administrative leave until the conclusion of the criminal prosecution. If the court does not find that probable cause exists, then the court shall enter an order terminating the administrative leave of the constable.

SECTION 2. This act takes effect July 1, 2024, the public welfare requiring it.

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PASSED: April 1, 2024



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 22nd day of April 2024



BILL LEE, GOVERNOR