

HOUSE BILL 7063

By Rudd

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 37; Title 38; Title 49 and Title 62, relative to
school safety.

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

SECTION 1. Tennessee Code Annotated, Section 49-6-4202, is amended by deleting subdivision (6) and substituting instead the following:

(6) "School resource officer" means:

(A) A law enforcement officer, as defined in § 39-11-106, who is in compliance with all laws, rules, and regulations of the peace officers standards and training commission and who has been assigned to a school in accordance with a memorandum of understanding between the chief of the appropriate law enforcement agency and the LEA;

(B) A retired law enforcement officer who is retired from a federal, state, or local law enforcement agency, and who has been assigned to a public school by the director of schools or by the director of the public charter school; or

(C) An honorably discharged veteran of the United States armed forces who has been assigned to a public school by the director of schools or by the director of the public charter school;

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 42, is amended by adding the following as a new section:

(a) LEAs and public charter schools may employ a school resource officer, as defined in § 49-6-4202(6)(B) or (C), to provide security on school premises.

(b)

(1) Each local board of education and public charter school governing body that intends to employ a school resource officer, as defined in § 49-6-4202(6)(B) or (C), shall adopt a policy that outlines the duties, responsibilities, and authority of a school resource officer, as defined in § 49-6-4202(6)(B) or (C), including any limitations on such a school resource officer's authority.

(2) Each policy must ensure compliance with the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g); § 10-7-504; the Data Accessibility, Transparency and Accountability Act, compiled in chapter 1, part 7 of this title; and all other relevant privacy laws.

SECTION 3. Tennessee Code Annotated, Section 49-6-815(b), is amended by deleting subdivision (3) and substituting instead the following:

(3)

(A) Be a law enforcement officer, or have prior service as a law enforcement officer, as defined in § 39-11-106, and be in compliance with all laws, rules and regulations of the peace officer standards and training (POST) commission, and have successfully completed forty (40) hours in basic training in school policing as required by § 49-6-4217. Any such training shall be approved by the LEA and the cost of the training, firearm and ammunition shall be at the expense of the person seeking authorization and not the LEA; or

(B) Be a school resource officer, as defined in § 49-6-4202(6)(B) or (C), and have successfully completed forty (40) hours in basic training in school policing as required by § 49-6-4217. Any such training shall be approved by the LEA or public charter school and the cost of the training, firearm, and ammunition shall be at the expense of the person seeking authorization and not the LEA or public charter school.

SECTION 4. Tennessee Code Annotated, Section 37-1-131(a)(2)(F), is amended by deleting the language "school resource officer" and substituting instead the language "school resource officer, as defined in § 49-6-4202(6)(A)".

SECTION 5. Tennessee Code Annotated, Section 37-1-131(c)(5), is amended by deleting the language "school resource officer" and substituting instead the language "school resource officer, as defined in § 49-6-4202(6)(A)".

SECTION 6. Tennessee Code Annotated, Section 49-6-3051(d), is amended by deleting the language "school resource officer" and substituting instead the language "school resource officer, as defined in § 49-6-4202(6)(A)".

SECTION 7. Tennessee Code Annotated, Section 49-10-1304(h), is amended by deleting subdivision (3) and substituting instead the following:

(3) A school resource officer, as defined in § 49-6-4202(6)(A), may, upon witnessing an offense, take the student into custody.

SECTION 8. This act takes effect upon becoming a law, the public welfare requiring it.