

SENATE BILL 396

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 38,
relative to an active shooter alert system.

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

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) As used in this section, "alert system" means the Tennessee active shooter alert system established under this section.

(b) With the cooperation of the department of safety, department of transportation, and other appropriate law enforcement agencies in this state, the Tennessee bureau of investigation (TBI) shall develop and implement an alert system to be activated on report of an active shooter.

(c) The director of the TBI is the statewide coordinator of the alert system.

(d) The director shall adopt rules as necessary to ensure proper implementation of the alert system. The rules must include instructions on the procedures for activating and deactivating the alert system.

(e) The director shall prescribe forms for local law enforcement agencies to use in requesting activation of the alert system.

(f) The TBI shall recruit public and commercial television and radio broadcasters, mobile telephone service providers by use of the federal wireless emergency alert system, private commercial entities, state or local governmental entities, the public, and other appropriate persons to assist in developing and implementing the alert system.

(g) The TBI may enter into agreements with participants in the alert system to provide necessary support for the alert system.

(h) On the request of a local law enforcement agency or as the TBI determines appropriate to assist a local law enforcement agency regarding an active shooter, the TBI shall activate the alert system and notify appropriate participants in the alert system if the local law enforcement agency:

(1) Believes an active shooter is in the agency's jurisdiction;

(2) Determines an active shooter alert would assist individuals near the active shooter's location;

(3) Verifies the active shooter situation through a preliminary investigation; and

(4) Provides the active shooter's last known location and any identifiable information for the active shooter.

(i) Before requesting activation of the alert system, a local law enforcement agency must verify that the criteria described in subsection (h) have been satisfied. On verification of the applicable criteria, the local law enforcement agency shall immediately contact the TBI to request activation and supply the necessary information on a form prescribed by the TBI.

(j) A law enforcement agency participating in the alert system shall:

(1) Cooperate with the TBI and assist in developing and implementing the alert system; and

(2) Establish a plan for providing relevant information to its officers, investigators, or employees, as appropriate, on activation of the alert system.

(k) The department of transportation shall establish a plan for providing relevant information to the public within fifty (50) miles of an active shooter for which an alert has been issued through an existing system of dynamic message signs located across the state.

(l) Notwithstanding subsection (k), the department of transportation is not required to use any existing system of dynamic message signs in a statewide alert system created pursuant to this section if the department receives notice from the federal highway administration that the use of the signs would result in the loss of federal highway funding or other punitive actions taken against this state due to noncompliance with federal laws or policies.

(m) The director shall terminate any activation of the alert system for a particular active shooter if:

(1) The active shooter situation is resolved; or

(2) The director or a local law enforcement agency determines the alert system is no longer an effective tool for providing relevant information to the public about the active shooter.

(n) The TBI or a local law enforcement agency is not liable for failure to activate the alert system.

SECTION 2. For the purposes of implementation, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2024, the public welfare requiring it.