

SENATE BILL 870

By Bell

AN ACT to amend Tennessee Code Annotated, Section 7-86-205, relative to requirements for public safety dispatchers.

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

SECTION 1. Tennessee Code Annotated, Section 7-86-205, is amended by deleting subsection (b) in its entirety and by substituting instead the following language:

(b)

(1) The emergency communications board established by § 7-86-302 is the sole authority to implement this section and may determine whether to grant an exception to or to waive the requirements of subdivisions (d)(4) and (5) for an emergency call taker or public safety dispatcher at the request of a majority of the membership of a board of directors of an emergency communications district. No person may be employed as an emergency call taker or public safety dispatcher, who requires a waiver under this section, until such waiver is granted. The board may establish an advisory committee to hear and review requests for exceptions and waivers, and make recommendations to the board on whether to grant or deny the requests. The meetings of the committee shall be open to the public, recorded and the recording open to public inspection. Any party adversely affected may, within sixty (60) days of the board's decision, initiate a contested case as provided by the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, which shall be heard by an administrative law judge sitting alone.

(2) The board may grant a waiver of pre-employment requirements under the following circumstances:

(A) Military History - The board may waive pre-employment requirements relating to the military history for the following separations from military service:

- (i) An entry level separation; or
- (ii) A general discharge under honorable conditions.

(B)

(i) Criminal Activity - The board may consider a waiver from pre-employment requirements relating to criminal activity if the person has been convicted of or pleaded guilty to or entered a plea of *nolo contendere* to any violation of any federal or state law or city ordinance with the following charges:

(a) relating to force, violence, theft, dishonesty, gambling, liquor (including driving while intoxicated) if such violation is a misdemeanor and is not classified as a domestic violence offense; or

(b) controlled substances when the offense was classed as a misdemeanor.

(ii) The employing agency requesting waiver must present a copy of the final court disposition of the case.

(C) Expungement of Charges - The board may consider a waiver from pre-employment requirements relating to expungement of misdemeanor charges, except for charges classified as a domestic violence offense, on an individual basis and depending on the circumstances. It is the responsibility of the requesting agency to present

information and court documentation relating to the expungement to the board.

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