

SENATE BILL 1290

By Summerville

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 5; Title 6; Title 7; Title 8; Title 9; Title 38; Title  
40 and Title 58, relative to United States citizens.

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

SECTION 1. Tennessee Code Annotated, Title 38, is amended by adding the following language as a new chapter:

(a) Notwithstanding any law to the contrary, no agency of this state, political subdivision, employee of an agency of this state or a political subdivision acting in his or her official capacity, member of the Tennessee national guard on official state duty or member of the Tennessee state guard and civil air patrol shall aid an agency of the armed forces of the United States in any investigation, prosecution or detention of any United States citizen pursuant to section 1021 of the national defense authorization act for fiscal year 2012, if such aid would place the state agency, political subdivision, employee or member in violation of the United States constitution, the state constitution or any law of this state.

(b) Subsection (a) shall not apply to participation by state or local law enforcement, the Tennessee national guard or the Tennessee state guard and civil air patrol in a joint task force, partnership or other similar cooperative agreement with federal law enforcement if the federal law enforcement agency indicates that the authority for the investigation, prosecution or detention of any United States citizen is not based on section 1021 of the national defense authorization act for fiscal year 2012.

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