

SENATE BILL 1322

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 8,
Chapter 6; Title 8, Chapter 7 and Title 38, relative
to officer-involved shootings.

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

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 8, Part 3, is amended by
adding the following language as a new section:

(a) As used in this section:

(1) "Critical injury" means an injury that is reasonably likely to result in the
death of the injured person, as determined by the district attorney general of the
county in which the injury occurred;

(2) "Law enforcement agency" means a lawfully established local public
agency that is responsible for the prevention and detection of crime;

(3) "Law enforcement officer" means a sworn officer of a law
enforcement agency; and

(4) "Officer-involved shooting" means the shooting of a person:

(A) By a law enforcement officer while the law enforcement officer
is on duty or while the law enforcement officer is off duty but performing
activities that are within the scope of the officer's law enforcement duties;
and

(B) That results in the death or critical injury of the person.

(b) By January 1, 2020, each law enforcement agency shall enter into an
agreement with the Tennessee bureau of investigation (TBI) that shall require the TBI to

investigate any officer-involved shooting that occurs within the jurisdiction of the law enforcement agency. Each agreement must include:

(1) The procedure the law enforcement agency shall follow to notify the TBI immediately of an officer-involved shooting;

(2) The manner in which the law enforcement agency shall secure the scene of the shooting until the arrival of TBI investigators;

(3) Any restrictions on an internal investigation into the shooting that may be conducted by the law enforcement agency that employs the officer in question;

(4) A requirement that the TBI report any findings to the district attorney general of the county in which the officer-involved shooting occurred and the attorney general and reporter; and

(5) A requirement that the TBI's report be disclosed to the public in the manner described in § 38-8-311, regardless of whether the person in question died as a result of the shooting.

(c) Notwithstanding § 38-8-309, this section applies to all law enforcement agencies.

(d) Nothing in this section shall limit the rights of a police officer provided by §§ 38-8-301 - 38-8-310.

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