

SENATE BILL 2569

By Jackson

AN ACT to amend Tennessee Code Annotated, Title 8,
Chapter 10, relative to constables.

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

SECTION 1. Tennessee Code Annotated, Section 8-10-102, is amended by deleting the section and substituting instead the following:

(a) To qualify for election or appointment to the office of constable, a person must:

- (1) Be at least twenty-one (21) years of age;
- (2) Be a qualified voter of the district;
- (3) Possess a certificate of graduation from a Tennessee POST certified training academy;
- (4) Possess at least a high school diploma or general educational development certificate (GED(R));
- (5) Not have been convicted of a felony; and
- (6) Not have been separated or discharged from the armed forces of the United States with other than an honorable discharge.

(b)

(1) Except as provided in subdivision (b)(2), any person seeking the office of constable shall file with the county election commission, along with the nominating petition, an affidavit signed by the candidate affirming that the candidate meets the requirements of this section. If such person seeks election to the office of constable by the county legislative body to fill a vacancy in office, the same affidavit must be filed with the county clerk prior to the election.

(2) Subdivisions (a)(3), (a)(4), and (a)(6) do not apply to incumbent constables who were elected prior to January 1, 2021, and who have been serving in such position without interruption since being elected.

SECTION 2. Tennessee Code Annotated, Section 8-10-201, is amended by designating the existing language as subsection (a), and adding the following as a new subsection (b):

(b) Constables may complete a forty-hour in-service training program developed by the Tennessee Constable Association or the Tennessee Constable Council and administered by local law enforcement agencies in lieu of the in-service education course requirements under subsection (a).

SECTION 3. Tennessee Code Annotated, Section 8-10-202, is amended by deleting the section and substituting instead the following:

(a) Each constable elected under § 8-10-101 shall complete forty (40) hours of either in-service course time or in-service training as prescribed in § 8-10-201 for each twelve-month period during which the constable holds office, beginning on the date the constable is sworn into office.

(b) Any constable who fails to meet the annual in-service requirement as prescribed in subsection (a) forfeits all law enforcement powers and the authority to use emergency vehicle equipment.

(c) First-term elected or appointed constables must satisfy the requirements of § 8-10-201 prior to being granted law enforcement powers and the authority to use emergency vehicle equipment.

SECTION 4. This act shall take effect July 1, 2020, the public welfare requiring it.