



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 2 SECOND EXTRAORDINARY SESSION**

### **SENATE BILL NO. 1**

**By Hensley, Bowling, Gresham, Rose, Stevens**

Substituted for: House Bill No. 6

By Ogles, Dunn, Daniel, Matthew Hill, Gant, Todd, White, Moody, Travis, Williams, Ragan, Jerry Sexton, Helton, Bricken, Halford, Hall, Reedy, Kumar, Van Huss, Lynn, Byrd, Eldridge, Doggett, Griffey, Wright, Littleton, Russell, Garrett, Lafferty, Hulse, Rudder, Terry, Powers, Keisling, Rudd, Holt, Grills, Smith, Sherrell, Timothy Hill, Marsh, Ramsey, Zachary, Hurt, Sparks, Weaver, Cochran, Farmer, Carr, Baum, Cepicky, Crawford

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 29 and Title 38, relative to governmental liability.

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

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 20, Part 2, is amended by adding the following language as a new section:

(a) A governmental entity shall not intentionally prohibit or prevent law enforcement or fire and rescue services from accessing a specifically bounded area within the governmental entity's jurisdiction during a public demonstration unless the services are replaced by like services provided by another governmental entity.

(b) A governmental entity violating subsection (a) may be held liable, subject to the limits set forth in this chapter, for damages, injury, or death proximately caused by the governmental entity intentionally prohibiting or preventing law enforcement or fire and rescue services from accessing a specifically bounded area within the governmental entity's jurisdiction during a public demonstration.

(c) As used in this section, "governmental entity" means a mayor, chief executive officer, governing body, board, commission, committee, or department of a municipality, county, or other political subdivision of the state.

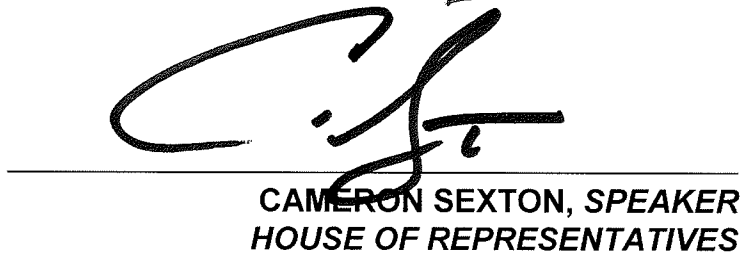
(d) This section does not apply to tactical decisions made by law enforcement or fire and rescue services personnel based on the risks to or safety of personnel or the public.

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

SECOND EXTRAORDINARY SESSION  
ONE HUNDRED ELEVENTH GENERAL ASSEMBLY  
SENATE BILL NO. 1

PASSED: August 12, 2020

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 20<sup>th</sup> day of August 2020

  
BILL LEE, GOVERNOR