



# State of Tennessee

## PUBLIC CHAPTER NO. 997

HOUSE BILL NO. 2649

By Representatives Williams, Hazlewood

Substituted for: Senate Bill No. 2162

By Senators Watson, Gardenhire, Walley, Jackson

AN ACT to amend Tennessee Code Annotated, Title 38 and Title 68, Chapter 11, relative to facility security.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new section:

(a) A facility is authorized to establish policies pursuant to which a suitable number of persons may be employed or commissioned, or both, as police officers, public safety officers, and security officers by the facility; provided, that the chief law enforcement officer of the law enforcement agency with jurisdiction over the facility has appointed each police officer who is employed or commissioned pursuant to this section a special deputy in accordance with § 8-8-212, or has appointed the police officer a special police officer.

(b) In addition to the minimum requirements under regulation by the peace officer standards and training (POST) commission, each facility may establish additional qualifying factors, training standards, and policies for employees holding a police officer's commission.

(c) The facility may establish such other minimum qualifications for employment as security officers as they deem appropriate; however, the qualifications for security officers permitted to carry firearms or other arms while on duty shall be at least equivalent to the certification requirements of the POST commission.

(d) When properly commissioned and qualified in accordance with the policies of a facility, a police officer shall have all the police powers necessary to enforce all state laws as well as rules and regulations of the facility. The authority granted extends to all facilities or property owned, leased, or operated by the facility, including any public roads or rights-of-way that are contiguous to, within the perimeter of, or connect between the facility, property, or interests of a particular facility.

(e)

(1) A law enforcement agency may enter into such written mutual assistance or other agreements with other law enforcement agencies, including a county sheriff's department, municipal police department, judicial district drug task force, Tennessee bureau of investigation, or Tennessee highway patrol, as are necessary to preserve and protect the property, patients, and employees of the facility employing the officers and to otherwise perform their duties. The agreements may provide for the exchange of law enforcement officers and security officers when required for a particular purpose or for mutual assistance to effectuate arrests, execute search warrants, and perform other law enforcement functions when the law enforcement agency finds it necessary to act outside of their statutory jurisdiction.

(2) When acting pursuant to a written mutual assistance or other agreement, a police officer shall have the same legal status and immunity from suit as officers of the agency the officer is assisting. A police officer acting

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pursuant to an assistance agreement shall be covered by the liability insurance policy of the agency of the officer's regular employment.

(f)

(1) The law enforcement agency having jurisdiction where the facility is located shall define any geographical limitation on the exercise of police power of the special deputy or special police officer.

(2) Notwithstanding any law to the contrary, the law enforcement agency having jurisdiction where the facility is located shall be immune from any suit by anyone incurring any wrong, injury, loss, damage, or expense resulting from any act or failure to act on the part of any special deputy or special police officer commissioned a hospital police officer by a facility.

(3) A person shall not be appointed a special deputy or a special police officer or be commissioned a hospital police officer by a facility, unless the person proves to the law enforcement agency having jurisdiction where the facility is located that the person's financial responsibility complies with § 8-8-303(c).

(4) This section does not entitle the officers to any public funding, for training or otherwise.

(g) As used in this section, "facility police officer" means a person commissioned by an employing facility and rendered an oath to provide police services, enforce law, exercise arrest authority, and carry firearms, and thus is subject to the Tennessee POST commission.

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following as a new section:

A local governmental entity may enter into a contract with an entity working on the megasite, as defined in § 64-9-103, for the provision of security services at the megasite.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: April 18, 2022



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CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES



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RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 4<sup>th</sup> day of May 2022



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BILL LEE, GOVERNOR