

CHAPTER NO. 1009

HOUSE BILL NO. 4013

By Representative McMillan

Substituted for: Senate Bill No. 3897

By Senator Kyle

AN ACT to amend Tennessee Code Annotated, Titles 2, 4, 8, 10, 36, 38, 39, 53, 54, 55, 56, 57, 65, 66, 67 and 70, relative to public safety, law enforcement, driver licenses and titling and registration.

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

SECTION 1. Tennessee Code Annotated, Section 4-7-102, is amended by adding the following new subsection:

(c) Notwithstanding any other provision of law to the contrary, each member employed after July 1, 2006 shall meet the requirements for minimum standards as set forth in Title 38, Chapter 8, Part 1, and as required by the Tennessee peace officer standards and training commission, hereinafter referred to as the "commission"; however, such Tennessee highway patrol members shall not be entitled to receive a police pay supplement as authorized under §38-8-111.

SECTION 2. Tennessee Code Annotated, Section 4-7-203(a)(2), is amended by deleting subdivision (B) in its entirety and by renumbering the remaining subdivisions accordingly.

SECTION 3. Tennessee Code Annotated, Section 4-7-203, is amended by adding the following as a new subsection (b) and renumbering the remaining subsections accordingly.

(b) The provisions of this part shall apply to the commissioned members of the Jerry F. Agee Tennessee law enforcement training academy.

SECTION 4. Tennessee Code Annotated, Section 38-8-104(e), is amended by deleting the language "commissioner of safety" in the second sentence and substituting instead the words "chancery court".

SECTION 5. Tennessee Code Annotated, Section 38-8-207(b), is amended by deleting the word "safety" in the first sentence and substituting instead the language "commerce and insurance".

SECTION 6. Tennessee Code Annotated, Section 38-8-351, is amended by deleting such section in its entirety and by substituting instead the following:

Section 38-8-351. No law enforcement officer, including any member of the Tennessee highway patrol, shall engage in political activity, support or opposition to any candidate, party or measure in any election when on duty or acting in such officer's or member's official capacity. When off duty and acting as a private citizen, no officer,

including any member of the Tennessee highway patrol, shall be prohibited from engaging in political activity or denied the right to refrain from engaging in such activity.

SECTION 7. Tennessee Code Annotated, Title 4, Chapter 7, Part 1, is amended by adding a new section thereto, as follows:

Section 4-7-120. No member of the Tennessee highway patrol shall engage in political activity, support or opposition to any candidate, party or measure in any election when on duty or acting in such member's official capacity. When off duty and acting as a private citizen, no member of the Tennessee highway patrol shall be prohibited from engaging in political activity or denied the right to refrain from engaging in such activity.

SECTION 8. This act shall take effect July 1, 2006, the public welfare requiring it.

PASSED: May 25, 2006


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 27th day of June 2006


PHIL BREDESEN, GOVERNOR