

HOUSE BILL 80

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 7, Part 2 and Title 55, Chapter 8, relative to law enforcement pursuits.

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

SECTION 1. Tennessee Code Annotated, Section 55-8-108, is amended by designating the existing language of subsection (e) as (e)(1) and by adding the following new (e)(2):

(2) The civil immunity conferred by this subsection (e) shall not apply to a law enforcement officer or the employing governmental entity of such law enforcement officer if the law enforcement officer:

(A) In pursuit of an actual or suspected violator is employed by a government entity outside the state of Tennessee; and

(B) Is not using a radio or other communication device that is the same as or compatible with the devices used in the jurisdiction where the pursuit is occurring.

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 7, Part 2, is amended by adding the following as a new § 40-7-205, and by redesignating subsequent sections accordingly:

Section 40-7-205. The provisions of this part conferring upon peace officers from another state the power to arrest in this state upon apprehending a suspect following a fresh pursuit into this state shall not apply unless the pursuing officer is using a radio or other communication device that is the same as, or compatible with, the devices used in the jurisdiction where the pursuit is occurring.

SECTION 3. This act shall take effect on July 1, 2011, the public welfare requiring it.