



# State of Tennessee

## PUBLIC CHAPTER NO. 320

### HOUSE BILL NO. 658

By Representatives Curcio, Carter, Van Huss, Littleton, Farmer, Moon, Lamberth, Cameron Sexton, Gant, Mr. Speaker Casada, Tillis, Hazlewood, Kumar, Byrd, Holt, Keisling, Halford, Boyd, Griffey, Powers, Doggett, Holsclaw, Curtis Johnson, Howell, Zachary, Timothy Hill, Crawford, Matthew Hill, Hulseley, Whitson, Smith, Helton, Carr, Hall, Sherrell, Reedy, Coley, White, Ogles, Hawk, Rudder, Haston, Travis, Weaver, Cepicky, Calfee, Hurt, Terry, Eldridge, Vaughan, Garrett, Sanderson, Cochran, Sparks

Substituted for: Senate Bill No. 1407

By Senators Bell, White, Pody

AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7, Part 5; Title 38; Title 39 and Title 40, relative to law enforcement.

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

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 8, Part 3, is amended by adding the following as a new section:

(a) The authority of a community oversight board shall be limited to the review and consideration of matters reported to the board and the issuance of advisory reports and recommendations to the duly elected or appointed officials of the agencies involved in public safety and the administration of justice within the jurisdiction for which the community oversight board is established.

(b)

(1) A community oversight board does not have the power to issue subpoenas for documents or to compel witness testimony.

(2) This subsection (b) does not prohibit the issuance of a subpoena by a local legislative body as otherwise provided by law.

(3) A subpoena issued by a local legislative body, on behalf of a community oversight board, must:

(A) Be issued pursuant to majority vote of the local legislative body;

(B) Not be issued in the form of a blanket authorization, but must specify each document to be produced or witness to testify; and

(C) Not be issued for documents that are confidential under § 10-7-504.

(c) Any employee or member of a community oversight board must be a registered voter, as defined by § 2-1-104(a)(24), of the jurisdiction for which the community oversight board is established.

(d) A community oversight board shall not restrict or otherwise limit membership based upon demographics, economic status, or employment history.

(e) Any document provided to a community oversight board that is confidential under § 10-7-504 or any other law shall be treated as confidential and shall not be released to the public.

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(f) By February 1 of each year, a community oversight board shall submit a report to the chairs of the judiciary committees of the house of representatives and senate, including, but not limited to, the following information for the previous calendar year:

(1) The number and nature of matters reported to the board;

(2) The number and nature of reviews conducted by the board; and

(3) The number and nature of advisory reports and recommendations issued by the board.

(g) As used in this section:

(1) "Community oversight board" means a board or committee established by a local government to investigate or oversee investigation into possible law enforcement officer misconduct or the operations of an agency employing a law enforcement officer; and

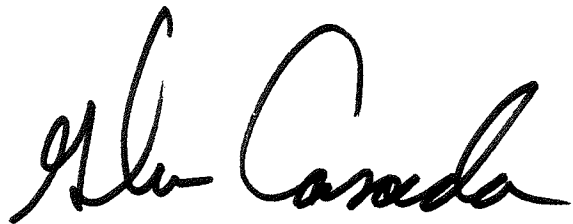
(2) "Law enforcement officer" has the same meaning as defined in § 39-11-106.

SECTION 2. A community oversight board in existence as of the effective date of this act has until one (1) year from the effective date of this act to comply with the membership requirements in subsections (c) and (d) of SECTION 1.

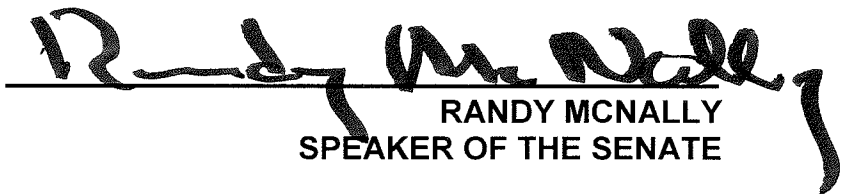
SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 18, 2019



GLEN CASADA, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 8<sup>th</sup> day of May 2019



BILL LEE, GOVERNOR