



State of Tennessee

PUBLIC CHAPTER NO. 462

SENATE BILL NO. 258

By Massey, Yager, Jackson, Reeves, Rose

Substituted for: House Bill No. 924

By Wright, Griffey, Russell, Sherrell, Moon, Ogles, Gillespie, White, Moody, Carr, Smith, Helton,
Eldridge, Whitson, Hazlewood, Todd

AN ACT to amend Tennessee Code Annotated, Title 39, relative to law enforcement.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-609(d)(2), is amended by adding the following as new subdivisions:

(H) To provide aerial coverage of public property, or private property with the consent of the private property owner, when deployed for the purpose of providing or enhancing security for an event open to the public, including, but not limited to, music concerts, athletic events, festivals, protests, and other outdoor events;

(I) To provide aerial coverage in case of a natural disaster when a state of emergency is declared; or

(J) To investigate the scene of a crime that is occurring or has occurred.

SECTION 2. Tennessee Code Annotated, Section 39-13-609(e)(2), is amended by deleting subdivisions (e)(2)(A)–(C) and substituting:

(A) Be deleted within fifteen (15) business days of collection unless the evidence, information, or other data is directly relevant to the lawful reason the drone was being used or to an investigation or criminal prosecution. If the evidence, information, or other data is directly relevant to either, the evidence must be retained and deleted by the collecting law enforcement agency in accordance with the same criteria, policies, and procedures used by the agency for evidence collected by methods other than a drone;

(B) Not be admissible as evidence in a criminal prosecution in any court of law in this state if it was collected or obtained in violation of subsection (c) or (d); and

(C) Not be used as probable cause to obtain a search or arrest warrant or reasonable suspicion to detain a person or vehicle if evidence, information, or other data was collected or obtained that was, at the time of collection, in violation of this section.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it. This act terminates July 1, 2024, and the law in effect prior to this act's effective date will be revived.

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PASSED: May 3, 2021


RANDY McNALLY
SPEAKER OF THE SENATE


CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 18th day of May 2021


BILL LEE, GOVERNOR