



State of Tennessee

PUBLIC CHAPTER NO. 345

SENATE BILL NO. 1223

By Massey, Bowling

Substituted for: House Bill No. 1283

By Dunn, Miller, Pody, Cooper, Sherrell, Ragan, Hardaway, Staples, Holsclaw, Parkinson, Favors

AN ACT to amend Tennessee Code Annotated, Section 68-10-116, relative to exposure of law enforcement officers to viruses.

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

SECTION 1. Tennessee Code Annotated, Section 68-10-116, is amended by deleting subsection (a) and substituting instead the following:

(1) If, during the course of arresting, transporting, or processing a person charged with the commission of a criminal offense, a law enforcement officer is exposed to the blood or other body fluid of the arrested person in any manner that presents a significant risk of transmission of the hepatitis virus or the HIV/AIDS virus, then the exposed officer may request that the arrested person's blood be tested for the presence of the hepatitis virus and the HIV/AIDS virus, and such test shall be administered if requested.

(2) If, during the course of receiving, analyzing, or transporting the blood or other body fluid of any person who has been arrested and charged with a criminal offense, an employee of any of the Tennessee bureau of investigation's crime laboratories is exposed to the blood or body fluid in any manner that presents a significant risk of transmission of the hepatitis virus or the HIV/AIDS virus, then the exposed employee may request that the arrested person's blood be tested for the presence of the hepatitis virus and the HIV/AIDS virus, and such test shall be administered if requested.

(3) If, while acting in the scope of duty, a firefighter, emergency medical technician-paramedic, or emergency medical technician is exposed to the blood or other body fluid of an arrested person in any manner that presents a significant risk of transmission of the hepatitis virus or the HIV/AIDS virus, then the exposed individual may request that the arrested person's blood be tested for the presence of the hepatitis virus and the HIV/AIDS virus, and such test shall be administered if requested.

SECTION 2. Tennessee Code Annotated, Section 68-10-116, is further amended by adding the following new subsection:

(c) As used in this section, "law enforcement officer" includes an employee of any of the Tennessee bureau of investigation's crime laboratories, firefighter, emergency medical technician-paramedic, or emergency medical technician; provided, however, that nothing in this section shall grant any law enforcement authority to a person who does not otherwise have the authority.

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

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PASSED: April 27, 2017



RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 9th day of May 2017



BILL HASLAM, GOVERNOR