

HOUSE BILL 1284

By Ramsey

AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7; Title 33; Title 38 and Title 68, relative to law enforcement body cameras.

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

SECTION 1. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following language as a new subsection:

(1) A law enforcement officer's body camera recording, or a portion thereof, shall be treated as confidential and shall not be open for inspection by members of the public if the recording, or portion of the recording, is taken within the interior of a facility licensed under title 33 or title 68 that offers health care or mental health care.

(2) Nothing in this subsection shall prevent a law enforcement officer's body camera recording obtained in the interior of a facility as described in subdivision () (1) from disclosure:

(A) By a law enforcement agency in furtherance of the agency's official duties and responsibilities;

(B) To another governmental agency in the furtherance of that agency's official duties;

(C) Pursuant to a court order upon proof of a compelling interest; or

(D) To a person recorded or the personal representative of a person recorded; provided, however, that a law enforcement agency may disclose only those portions that are relevant to the person's presence in the recording.

(3) As used in this subsection, "law enforcement officer" has the same meaning given in § 39-11-106.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following language as a new section:

Due to the highly sensitive personal information that may be recorded by a law enforcement officer's body camera, a facility licensed pursuant to title 33 or title 68 may choose to adopt a policy to prohibit recording with a body camera while within the interior of the facility. If adopted, the policy must be posted in a conspicuous location and reasonable notice of the policy shall be provided to appropriate law enforcement agencies.

SECTION 3. This act shall take effect on July 1, 2017, the public welfare requiring it.