

SENATE BILL 17

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 8; Title 40 and Chapter 716 of the Public Acts of 2024, relative to law enforcement.

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

SECTION 1. Tennessee Code Annotated, Section 7-68-105, is amended by deleting subsection (a) and substituting:

(1) All law enforcement agencies and officials shall, in accordance with 8 U.S.C. § 1357(g)(10), communicate with the appropriate federal official regarding the immigration status of any individual who has been arrested for a criminal offense, including reporting knowledge that a particular alien is not lawfully present in the United States or otherwise cooperate with the appropriate federal official in the identification, apprehension, detention, or removal of aliens not lawfully present in the United States.

(2) Subdivision (a)(1) does not apply to:

(A) A school resource officer with regard to the immigration status of a student of the local education agency to which the school resource officer has been assigned; and

(B) An individual who has not been arrested by the law enforcement agency or official, including an individual whose contact with a law enforcement agency is due to the individual's status as a victim of or witness to a criminal offense.

(3) A law enforcement agency that does not comply with the requirements of subdivision (a)(1) may be subject to a civil penalty in an amount of no more than one

thousand dollars (\$1,000). An action to enforce such civil penalty may be brought by the attorney general and reporter.

SECTION 2. This act takes effect July 1, 2025, the public welfare requiring it.