

SENATE BILL 723

By Tate

AN ACT to amend Tennessee Code Annotated, Chapter 30 of the Acts of 1868-69, and any other acts amendatory thereto, the same being the charter of the Memphis city schools as amended, to authorize establishment and operation of a school district police force by the Memphis city schools system.

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

SECTION 1. Chapter 30 of the Acts of 1868-1869, and any other acts amendatory thereto, being the charter of the Memphis city schools as amended, is amended by adding Sections 2 through 8 of this act as a new, appropriately designated section to such charter.

SECTION 2. The Memphis city schools board of education is authorized to establish policies pursuant to which a suitable number of persons may be employed or commissioned, or both, as police officers and security officers.

SECTION 3. In addition to the minimum requirements under regulation by the peace officer standards and training commission, the Memphis city schools board of education may establish additional qualifying factors, training standards, and policies for employees holding a police officer's commission.

SECTION 4. The Memphis city schools board of education is authorized to establish such other minimum qualifications for employment as Memphis city schools security officers as they deem appropriate; however, the qualifications for security officers permitted to carry firearms or other arms while on duty shall be at least equivalent to the certification requirements of the peace officers standards and training commission.

SECTION 5. When properly commissioned and qualified in accordance with the policies of the Memphis city schools board of education, the police officers shall have all police powers

necessary to enforce all state laws as well as rules and regulations of the Memphis city schools board of education. The authority hereby granted extends to all facilities or property owned, leased or operated by the Memphis city schools board of education, including any public roads or rights-of-way which are contiguous to, within the perimeter of or connect between such facilities, property, or interests of Memphis city schools.

SECTION 6. A law enforcement agency may enter into such written mutual assistance or other agreements with other law enforcement agencies, including a county sheriff's department, municipal police department, judicial district drug task force, Tennessee bureau of investigation or Tennessee highway patrol, as are necessary to preserve and protect the property, students and employees of Memphis city schools employing the officers and to otherwise perform their duties. Such agreements may provide for the exchange of law enforcement officers and security officers when required for a particular purpose or for mutual assistance to effectuate arrests, execute search warrants and perform other law enforcement functions when the law enforcement agency finds it necessary to act outside of their statutory jurisdiction.

SECTION 7. When acting pursuant to a written mutual assistance or other agreement, a police officer shall have the same legal status and immunity from suit as officers of the agency the officer is assisting. A police officer acting pursuant to such an assistance agreement shall be covered by the liability insurance policy of the agency of the officer's regular employment.

SECTION 8. As used in this section unless the context clearly requires otherwise:

(1) "Memphis city schools police officer" means a person commissioned by Memphis city schools who has rendered an oath to provide police services, enforce law, exercise arrest authority, and carry firearms; and thus is subject to the provisions of the Tennessee peace officer standards and training commission;

(2) "Memphis city schools security officer" means a person employed by Memphis city schools to provide non-police, security-related services and as such is not commissioned to exercise arrest authority nor carry firearms without additional provision of law, nor is such person subject to the provisions of the Tennessee peace officer standards and training commission; and

(3) "Law enforcement agency" means an institution employing one (1) or more commissioned police officers.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.