

SENATE BILL 1761

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 8,
Chapter 8, Part 1, relative to qualifications for the
office of sheriff.

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

SECTION 1. Tennessee Code Annotated, Section 8-8-102(a)(1)(3), is amended by adding the language "for at least one (1) year" after the word "county" and before the semicolon ";".

SECTION 2. Tennessee Code Annotated, Section 8-8-102(a)(8), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(8) Be free from any disorder as described in the current edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association that would, in the professional judgment of the examiner, impair the subject's ability to perform any essential function of the job or would cause the subject to pose a direct threat to public safety. An applicant must be certified as meeting these criteria by a Tennessee licensed health care provider qualified in the psychiatric or psychological fields.

SECTION 3. Tennessee Code Annotated, Section 8-8-102(a)(9), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(9)

(A) Possess a current and valid peace officer standards and training commission certification as issued by the peace officer standards and training commission as provided in § 38-8-107, and as defined in title 38, chapter 8.

Such certification must have been issued at least twelve (12) months prior to the close of qualification for the election for the office of sheriff; and, either:

(i) Have at least four (4) years of full-time experience as a peace officer standards and training commission certified law enforcement officer within the last ten (10) years; or

(ii) Have at least four (4) years of state or federal law enforcement experience within the last ten (10) years and have obtained training equivalent to the training required for certification by the peace officer standards and training commission at least twelve (12) months prior to the close of qualification for the election for the office of sheriff.

(B) As used in this subdivision (a)(9), "certification" or "certified" means a current and valid peace officer certification issued by the peace officer standards and training commission or training that is approved by or meets the standard on minimum hours required to be certified by the peace officer standards and training commission.

(C) This subdivision (a)(9) shall not apply in any county having a metropolitan form of government where the sheriff does not have law enforcement powers.

SECTION 4. Tennessee Code Annotated, Section 8-8-102(d), is amended by deleting the subsection in its entirety.

SECTION 5. This act shall take effect July 1, 2011, the public welfare requiring it and shall apply to any person seeking election to the office of sheriff on or after such date.