

HOUSE BILL 626
By Newton

AN ACT to amend Tennessee Code Annotated, Section 39-16-602 and Section 39-16-603, relative to fleeing from law enforcement officers.

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

SECTION 1. Tennessee Code Annotated, Section 39-16-602, is amended by deleting the word and punctuation "stop," wherever they appear together and the word and punctuation "halt," wherever they appear together.

SECTION 2. Tennessee Code Annotated, Section 39-16-602(a), is amended by deleting the words and punctuation "by using force against the law enforcement officer or another." and by substituting instead the following:

by using force, which may be passive, against the law enforcement officer or another.

SECTION 3. Tennessee Code Annotated, Section 39-16-603(a)(1), is amended by deleting items (A) and (B) and by substituting instead the following:

(A) Knows the officer is attempting to stop the person; or

(B) Has been stopped by the officer.

SECTION 4. Tennessee Code Annotated, Section 39-16-603(a), is amended by deleting subdivision (2) and by substituting instead the following:

(2) It is a defense to prosecution under this subsection that the law enforcement officer had no basis in law for either frisk or an arrest of the person.

SECTION 5. This act shall take effect July 1, 1997, the public welfare requiring it.

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