

SENATE BILL 418  
By Dixon

AN ACT to amend Tennessee Code Annotated, Section 38-8-112 and Title 55, Chapter 8, relative to civil responsibility in circumstances involving pursuit by law enforcement officers.

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

SECTION 1. Tennessee Code Annotated, Section 55-8-108, is amended by adding the following new subsection:

( ) (1) A law enforcement officer shall be held harmless from personal liability regardless of the reasonableness of the decision by such officer to initiate or continue pursuit of a criminal suspect which results in injury to a third party.

(2) No local government may be held liable for civil damages to a third party resulting from pursuit of a criminal suspect by a law enforcement officer unless the decision to initiate or continue pursuit by such officer is unreasonable under the circumstances.

SECTION 2. Tennessee Code Annotated, Section 38-8-112, is amended by designating the existing language as subsection (a) and by adding the following new subsection:

(b) The curriculum requirements of the Tennessee peace officer standards and training commission established by this part shall include materials concerning standards for the pursuit of a criminal suspect which may result in injury to a third party.

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SECTION 3. Each local government which operates a law enforcement agency shall develop and implement a policy concerning proper standards for the pursuit of a criminal suspect which may result in injury to a third party to govern the conduct of its law enforcement officers.

SECTION 4. This act shall take effect July 1, 1997, the public welfare requiring it.