

Amendment No. 1 to HB1219

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Fowlkes
Signature of Sponsor

AMEND Senate Bill No. 710*

House Bill No. 1219

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 6, is amended by adding the following language as a new, appropriately designated section:

39-16-610.

(a) Any person who files under oath an allegation of misconduct against a police officer knowing the allegation to be false, commits the offense of perjury pursuant to § 39-16-702.

(b) A law enforcement agency accepting an allegation of misconduct against a police officer shall require the complainant to read and sign under oath the following advisory, all in boldface type:

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. TENNESSEE LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT. EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS. IT IS A CRIMINAL OFFENSE TO MAKE A

COMPLAINT UNDER OATH THAT YOU KNOW TO BE FALSE.
IF YOU MAKE SUCH A COMPLAINT AGAINST AN OFFICER
KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED
FOR THE OFFENSE OF PERJURY PURSUANT TO TCA § 39-
16-702.

I have read and understand the above statement.

Complainant

(c) The advisory shall be available in multiple languages.

SECTION 2. This act shall take effect July 1, 2003, the public welfare requiring it.