

SENATE BILL 666

By Stewart

AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 8, Part 1, relative to the employment of private special deputies for security and law enforcement.

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

SECTION 1. Tennessee Code Annotated, Section 38-8-118, is amended by deleting subsection (a) and substituting instead the following:

(a) A resort area owner or management company or independent contractor may employ one (1) or more persons to act as private special deputies, in order to provide on-site security and law enforcement capability for governmental property or residents and guests of the resort area and for resort area property.

SECTION 2. Tennessee Code Annotated, Section 38-8-118, is further amended by deleting subdivision (b)(1) and substituting instead the following

(1) Upon employing a person for security and law enforcement purposes, the contractor or resort area shall seek appointment of the person as a private special deputy by the sheriff of the county where the resort is located, in accordance with § 8-8-212.

SECTION 3. Tennessee Code Annotated, Section 38-8-118, is further amended by deleting the second sentence in subsection (c) and substituting instead the following:

The authority granted extends to all facilities or property owned, leased or operated by the employing governmental contractor or resort, including any public roads or rights-of-way that are contiguous to, within the perimeter of, or connect between the facilities, property, or interests of a particular institution.

SECTION 4. Tennessee Code Annotated, Section 38-8-118, is further amended by deleting subdivision (d)(2)(A) in its entirety and by substituting instead the following:

(A) The sheriff's department of the county has entered into a mutual assistance agreement with the governmental contractor, resort area owner or management company that employs the private special deputy or deputies;

SECTION 5. Tennessee Code Annotated, Section 38-8-118, is further amended by deleting subdivision (d)(2)(C) in its entirety and by substituting instead the following:

(C) The crime or incident to which the private special deputy was dispatched was outside the boundaries of the employing governmental property or resort area, as established in subsection (c).

SECTION 6. This act shall take effect July 1, 2009, the public welfare requiring it.