

HOUSE BILL 1496

By McCormick

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 20, relative to guards at state buildings.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 20, is amended by adding the following as a new section:

(a) The commissioner of safety may appoint and commission peace officers as provided in this section. Such peace officers shall be known as state facility protection officers. Any company licensed under title 62, chapter 35 as a private protective service and which has a contract with the state of Tennessee to provide armed guards may apply to the commissioner of safety for the appointment and commissioning of such number of its employees as the company shall designate to act as state facility protection officers.

(b)

(1) The commissioner, or the commissioner's designee, upon receipt of a state facility protection officer application, shall review the application to verify the person seeking the commission is qualified to receive such commission, and may issue such commission if all requirements are met.

(2) No person shall be commissioned unless:

(A) The person holds an armed guard certification issued under title 62, chapter 35;

(B) The person has received initial civilian or military training substantially similar to that of the peace officers standards and training commission in the areas pertaining to their duties;

(C) The person substantially meets the pre-employment standards as set forth by the peace officers standards and training commission; and

(D) The person has completed a department approved training course pertaining to their duties as a state facility protection officer.

(3) All commissioned persons are required to maintain their armed guard certification and comply with any required, recurrent training as may be mandated by the department.

(4) The commission issued under this subsection (b) shall only be issued to persons who are assigned to property or buildings owned or leased by the state and located in Davidson County.

(c)

(1) The state facility protection officer program shall be overseen and directed by the commissioner or the commissioner's designee.

(2) Each state facility protection officer assigned in accordance with subsection (b)(4) shall have and exercise the following authority for the sole purpose of carrying out the scope of assigned duties as specified or limited within the exclusive judgment of the department of safety:

(A) The authority to make arrests for public offenses committed against state officials or employees or committed upon, about, or against property owned or leased by the state or on public roads or rights-of-way passing through such owned or leased property;

(B) The authority to provide security at property owned or leased by the state; and

(C) The authority to carry weapons for the reasonable purposes of the officers' employment and only while in the performance of the officers' assigned duties.

(d) Every state facility protection officer appointed pursuant to this section, when on duty, shall possess a badge or identification card issued by the department identifying the officer as a state facility protection officer, and the officer shall exhibit the badge or identification card on demand and before making an arrest.

(e)

(1) When a person appointed and commissioned as a state facility protection officer leaves employment with the company their powers as a state facility protection officer shall cease and terminate at that time. The company shall notify the commissioner in writing within one (1) business day of the person leaving employment, and shall return any badge or identification to the department within five (5) business days of the day the person leaves employment.

(2) When the department no longer requires the services of a person appointed and commissioned as a state facility protection officer, the department of safety shall notify the company. Upon notification, the powers of the state facility protection officer shall cease and terminate. The company shall not return the person to an assignment under the contract and shall return any badge or identification held by the person to the department.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.