

SENATE BILL 2437

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 8,
relative to constables.

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

SECTION 1. Tennessee Code Annotated, Section 8-10-102, is amended by adding the following language as new subsections:

(d)

(1) To qualify for election or appointment to the office of constable in any county having a population of not less than one hundred twenty-two thousand nine hundred (122,900) nor more than one hundred twenty-three thousand (123,000), according to the 2010 federal census or any subsequent federal census, a person shall:

(A) Have at least one (1) year of prior law enforcement experience;

(B) Have been certified by a Tennessee licensed health care provider qualified in the psychiatric or psychological field as being free from any impairment, as set forth in the current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association at the time of the examination, that would, in the professional judgment of the examiner, affect the person's ability to perform an essential function of the job, with or without a reasonable accommodation; and

(C) Provide a confirmation of psychological evaluation form certified by the psychologist or psychiatrist providing psychological

evaluation as provided in subdivision (d)(1)(B). The form shall be developed by the POST commission and shall include the examining psychologist's or psychiatrist's license number and state of licensure. The form shall clearly state in bold face type directly above the signature line that a person who, with intent to deceive, makes any false statement on such application commits the offense of perjury pursuant to § 39-16-702. The form shall be made available by the POST commission upon request by any candidate for the office of constable.

(2) Any person serving as a constable on June 30, 2014, shall be allowed to continue to serve and to seek reelection even though the person may not meet the requirements of this subsection (d).

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it, and except as is otherwise provided in SECTION 1 shall apply to any person seeking election or appointment to the office of constable on or after such date.