

HOUSE BILL 192

By Carter

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 86; Title 9; Title 36 and Title 38, relative to immunity from civil liability.

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

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 1, is amended by adding the following as a new part:

38-1-701.

(a) Notwithstanding any law to the contrary, a person or entity does not have a cause of action against a local government or the officers, employees, or agents of a local government for any defect or malfunction in a software program intended to assist families of non-communicative persons register the non-communicative person with law enforcement in order to ensure the non-communicative person's safety, when the program was designed and distributed in good faith by the local government and without cost to the recipient local government or user of the program.

(b) No immunity conferred pursuant to subsection (a) attaches if the cause of action is based on gross negligence, willful misconduct, or bad faith.

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