

HOUSE BILL 2702

By Doggett

AN ACT to amend Tennessee Code Annotated, Title 3;
Title 4; Title 5; Title 6; Title 7; Title 8; Title 38; Title
39 and Title 40, relative to public servants.

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

SECTION 1. Tennessee Code Annotated, Section 39-16-516, is amended by deleting the section and substituting the following:

(a) A public official or public employee shall not establish or maintain, formally or informally, a plan to evaluate, promote, compensate, or discipline a law enforcement officer solely by the issuance of a predetermined or specified number of any type or combination of types of traffic citations.

(b) A public official or public employee shall not require or suggest to a law enforcement officer that the law enforcement officer is required or expected to issue a predetermined or specified number of any type or combination of types of traffic citations within a specified period.

(c) Nothing in this section prohibits a municipal corporation, a political subdivision, or any agency of this state from establishing performance standards for law enforcement officers that include issuance of traffic citations but do not require issuance of a predetermined or specified number or any type or combination of types of citations as the sole means of meeting the performance standards.

(d) A violation of this section is a Class B misdemeanor, subject to fine only.

(e) As used in this section:

(1) "Public employee" means any person holding a position by appointment or employment in the service of a public employer;

(2) "Public employer" means:

(A) The state of Tennessee; or

(B) A county, city, town, municipality, or any other political subdivision of the state;

(3) "Public official" means a person elected to any office or entity of state or local government; and

(4) "Traffic offense" means an offense under title 55.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it.