



January 30, 2020

SUMMARY OF ORIGINAL BILL: Requires the conduct of law enforcement personnel in initiating or continuing pursuit of a fleeing party to be in reckless disregard of law enforcement policies and procedures in order for the law enforcement personnel or the employer of the law enforcement personnel to be liable for injuries to a third party proximately caused by a fleeing party.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (013601): Deletes and rewrites all language after the enacting clause such that the only substantive change is replacing the “reckless disregard” with “negligent disregard”.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 55-8-108(e), the fact that law enforcement personnel pursue an actual or suspected violator of a law or ordinance who flees from pursuit shall not render the law enforcement personnel, or the employers of the law enforcement personnel, liable for injuries to a third party proximately caused by the fleeing party unless the conduct of the law enforcement personnel was negligent and that negligence was a proximate cause of the injuries to the third party.
- Changing the liability standard will not result in a significant change in the number of officers or employers liable for injury while pursuing fleeing suspects.
- This legislation will not result in a significant fiscal impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jmg