



HOUSE BILL 1718

By Atchley

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 10 and Title 41, relative to body cameras.

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

SECTION 1. Tennessee Code Annotated, Title 41, Chapter 24, is amended by adding the following new section:

(a) The department shall study the cost of equipping correctional officers and employees of prison contractors with body cameras who work in an adult correctional facility located:

(1) On public property that houses, in whole or in part, inmates under the custody of the department for which correction services are provided to such inmates by a prison contractor; and

(2) In a county that has a metropolitan form of government with a population of not less than eleven thousand six hundred (11,600) and not more than eleven thousand six hundred sixteen (11,616), according to the 2020 federal census or a subsequent federal census.

(b) The department shall report its findings to the chair of the senate state and local government committee and the chair of the committee of the house of representatives with jurisdiction over corrections not later than July 1, 2026. The report may be submitted electronically.

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

Amendment No. 2 to HB1718

Hicks G
Signature of Sponsor

AMEND Senate Bill No. 1820

House Bill No. 1718*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 41, Chapter 51, is amended by adding the following as a new part:

41-51-401. Part definitions.

As used in this part:

(1) "Correctional facility" means an adult correctional facility located:

(A) On public property that houses, in whole or in part, inmates under the custody of the department for which correctional services are provided to such inmates by a prison contractor; and

(B) In a county that has a metropolitan form of government with a population of not less than eleven thousand six hundred (11,600) and not more than eleven thousand six hundred sixteen (11,616), according to the 2020 federal census or a subsequent federal census;

(2) "Correctional officer" means a facility employee assigned to a security post on a schedule shift whose job title or position is defined as a correctional officer, sergeant, lieutenant, captain, correctional counselor, or unit manager;

(3) "Correctional services" has the same meaning as defined in § 41-24-102;

(4) "Department" means the department of correction; and

(5) "Prison contractor" has the same meaning as defined in § 41-24-102.

41-51-402. Body cameras in correctional facilities.

(a) Each correctional officer at a correctional facility shall utilize a body camera at all times when the officer is on duty at the facility and is in contact with or may reasonably anticipate contact or interaction with an inmate. The body camera must be recording at all times when utilized in accordance with this subsection (a).

(b)

(1) A prison contractor providing correctional services at a correctional facility is responsible for the costs of procuring an adequate number of body cameras to comply with this section, including the costs of data storage and maintenance. The prison contractor shall transmit body camera footage to the department for review and transmission, as applicable, pursuant to subdivision (b)(2) as soon as practicable.

(2) The department, within the existing resources of the department:

(A) Shall designate one (1) or more employees to review captured body camera recordings for each incident, interaction between two (2) or more inmates, or interaction between a correctional officer and an inmate or another correctional officer that is or that is suspected to be unlawful, abusive, or that may otherwise require a report or the discipline of an inmate. The review of each body camera recording must occur no later than five (5) business days after any investigation into an incident or interaction, as necessary. Body camera recordings that must be transmitted or that may be subject to a request must be stored and maintained securely and preserved for a period of not less than one (1) year. The body camera recordings must be stored and maintained in a manner that makes such recordings readily transmissible to the district attorney general and a prosecuting authority in accordance with subdivisions (b)(2)(B) and (C). A body camera recording, or a portion thereof, that is not subject to storage and maintenance under this

subdivision (b)(2)(A) may be deleted no earlier than seven (7) days after the recording is reviewed;

(B) Shall transmit to the district attorney general each portion of a body camera recording that captures an incident, interaction between two (2) or more inmates, or interaction between a correctional officer and an inmate or another correctional officer that is or that is suspected to be unlawful, abusive, or that may otherwise require a report or the discipline of an inmate. Such recordings must be transmitted to the district attorney general no later than forty-eight (48) hours after the body camera recording is reviewed pursuant to subdivision (b)(2)(A). If the district attorney general, after reviewing a body camera recording, determines that the recording does not capture activity that is unlawful or prosecutable, the district attorney general shall notify the department and prison contractor that the recording may be deleted in accordance with subdivision (b)(2)(A); and

(C) Shall provide to any federal, state, or local prosecuting authority any body camera recording upon request within forty-eight (48) hours of such request, or as otherwise specified by the prosecuting authority.

(c) The department shall aggregate body camera data that requires transmission pursuant to subdivision (b)(2) and submit a quarterly report to the chair of the corrections subcommittee of the state and local government committee of the senate and to the chair of the committee of the house of representatives with jurisdiction over corrections. The department shall submit an annual report to such chairs no later than June 30, 2027.

41-51-403. Repealer.

This part is repealed on July 1, 2027.

SECTION 2. Tennessee Code Annotated, Section 10-7-504(a), is amended by adding the following as a new subdivision:

() Notwithstanding another law and except as provided in this subdivision (a)(), a body camera recording captured and maintained pursuant to title 41, chapter 51, part 4 is confidential and not open to public inspection. If the body camera recording is relevant to a civil action or criminal prosecution, then the recording may be released to a law enforcement agency, a federal, state, or local prosecuting authority, or in compliance with a subpoena or an order of a court of record in accordance with the Tennessee rules of civil or criminal procedure. The court or administrative judge having jurisdiction over the proceedings shall issue appropriate protective orders, as necessary, to ensure that the video footage is disclosed only to appropriate persons. Release of a segment or segments of the body camera recording must not be construed as waiving the confidentiality of the remaining segments of the body camera recording.

SECTION 3. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 4. This act takes effect July 1, 2026, the public welfare requiring it.