



HOUSE BILL 2157

By Lamberth

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 38 and Title 39, relative to law enforcement.

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

SECTION 1. Tennessee Code Annotated, Section 38-8-123(d)(2), is amended by deleting "ten (10) days" and substituting instead "ten (10) business days".

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

Amendment No. 1 to HB2157

Farmer
Signature of Sponsor

AMEND Senate Bill No. 2405

House Bill No. 2157*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 38-6-102, is amended by adding the following as new subsections:

(g)

(1) There is established a Tennessee safe initiative task force, which is administratively attached to the Tennessee bureau of investigation. The task force shall determine when criminal activity in a particular jurisdiction is so prevalent as to endanger public safety and require additional law enforcement operations.

(2) The Tennessee safe initiative task force is comprised of eight (8) voting members, as follows:

(A) The director of the Tennessee bureau of investigation, who shall serve as chair of the task force;

(B) The commissioner of safety;

(C) One (1) district attorney general, to be appointed by the district attorneys general conference;

(D) One (1) sheriff, to be appointed by the Tennessee Sheriffs' Association;

(E) One (1) chief of police, to be appointed by the Tennessee Association of Chiefs of Police;

(F) One (1) district attorney general, to be appointed jointly by the speaker of the house of representatives and the lieutenant governor;

(G) One (1) sheriff, to be appointed by the speaker of the house of representatives; and

(H) One (1) chief of police, to be appointed by the lieutenant governor.

(3)

(A) Task force members appointed under subdivisions (g)(2)(C)-(H) serve staggered terms as follows:

(i) The persons appointed under subdivisions (g)(2)(C) and (g)(2)(F) serve initial terms that terminate on June 30, 2028;

(ii) The persons appointed under subdivisions (g)(2)(D) and (g)(2)(G) serve initial terms that terminate on June 30, 2029; and

(iii) The persons appointed under subdivisions (g)(2)(E) and (g)(2)(H) serve initial terms that terminate on June 30, 2030.

(B) Following the expiration of members' initial terms as prescribed in subdivision (g)(3)(A), all appointments to the task force are for terms of three (3) years, beginning on July 1 and terminating on June 30 every three (3) years thereafter.

(C) Members appointed under subdivisions (g)(2)(C)-(H):

(i) Must be appointed by July 1, 2026;

(ii) Serve until the expiration of the terms to which they were appointed and until their successors are duly appointed and qualified; and

(iii) Are eligible for reappointment to the task force following the expiration of their terms.

(4) Vacancies are filled in the same manner that original appointments are made.

(5) The chair of the task force shall call the meetings. The task force must meet at least quarterly and, upon the request of at least three (3) members, may hold additional meetings. Members may attend meetings electronically. A meeting of the task force must not commence or continue in the absence of a quorum. A quorum is a majority of the members to which the task force is entitled. The members of the task force serve without compensation.

(6) At least one (1) week prior to a task force meeting, a member of the task force, including the chair, may notify the members that the member intends to initiate a motion to request that the Tennessee bureau of investigation provide additional law enforcement operations from the Tennessee safe initiative within a specific jurisdiction, pursuant to subdivision (g)(8) at the meeting. The task force shall notify the district attorney general and chief officer of any law enforcement agency within the jurisdiction of the motion. At the task force meeting, the district attorney general and chief officer of any law enforcement agency within the jurisdiction may address the task force and provide evidence as to whether additional law enforcement operations are appropriate. If a majority of the members of the task force who are entitled to vote request law enforcement operations pursuant to this subdivision (g)(6), then the director of the Tennessee bureau of investigation may provide the requested law enforcement operations from the Tennessee safe initiative.

(7) A sheriff, chief of police, or district attorney general may submit to the task force a written request that the Tennessee bureau of investigation provide additional law enforcement operations from the Tennessee safe initiative within the official's specific jurisdiction, pursuant to subdivision (g)(8). The task force shall notify the sheriff, chief of police, and district attorney general within the

district who did not submit the request, if any, of the request. The task force is not required to vote on a request submitted under this subdivision (g)(7). The director of the Tennessee bureau of investigation may provide the requested law enforcement operations from the Tennessee safe initiative.

(8) In addition to the authority established in subsections (a) and (b), Tennessee safe initiative investigators of the Tennessee bureau of investigation are authorized to make investigations as requested by the task force in connection with any matters pertaining to:

(A) Commission of an offense prohibited by title 39, chapter 13;

(B) Commission of an offense prohibited by title 39, chapter 17, part 13; or

(C) Criminal gang activities. As used in this subdivision (g)(8)(C), "criminal gang activities" means criminal gang offenses committed by a criminal gang member, as defined in § 40-35-121, and other unlawful activities of members of a criminal gang.

(9) Prior to initiating Tennessee safe initiative operations pursuant to this subsection (g), the director of the Tennessee bureau of investigation shall notify the district attorney general and the chief officer of any law enforcement agency within the jurisdiction of the operations and the date on which the operations will commence.

(10) At any meeting of the task force that occurs while a law enforcement operation authorized by this subsection (g) is ongoing:

(A) The director shall present to the task force information on the number of arrests and criminal charges resulting from Tennessee safe initiative operations; and

(B) The district attorney general for the judicial district in which a law enforcement operation authorized by this subsection (g) is ongoing

shall submit to the task force information on the disposition of any criminal charges that were filed as a result of Tennessee safe initiative operations.

(h)

(1) In addition to the authority established in subsections (a), (b), and (g), upon the effective date of this act, Tennessee safe initiative investigators of the Tennessee bureau of investigation are authorized, without a request from a sheriff, chief of police, district attorney general, or task force, to make investigations in any judicial district in which the Memphis safe task force is in effect in connection with any matters pertaining to:

(A) Commission of an offense prohibited by title 39, chapter 13;

(B) Commission of an offense prohibited by title 39, chapter 17, part 13; or

(C) Criminal gang activities.

(2) The authority established by this subsection (h) continues until the majority of the members to which the Tennessee safe initiative task force is entitled vote to rescind the authority. The director of the Tennessee bureau of investigation shall provide law enforcement operations pursuant to this subsection (h) until a majority of the members vote to rescind the authority.

(3) Prior to initiating Tennessee safe initiative operations pursuant to this subsection (h), the director of the Tennessee bureau of investigation shall notify the district attorney general and the chief officer of any law enforcement agency within the jurisdiction of the operations and the date on which the operations will commence.

(4) At any meeting of the task force that occurs while a law enforcement operation authorized by this subsection (h) is ongoing:

(A) The director shall present to the task force information on the number of arrests and criminal charges resulting from Tennessee safe initiative operations; and

(B) The district attorney general for the judicial district in which a law enforcement operation authorized by this subsection (h) is ongoing shall submit to the task force information on the disposition of any criminal charges that were filed as a result of Tennessee safe initiative operations.

(5) As used in this subsection (h):

(A) "Criminal gang activities" means criminal gang offenses committed by a criminal gang member, as defined in § 40-35-121, and other unlawful activities of members of a criminal gang; and

(B) "Memphis safe task force" means a federal task force operating with the objective of ending street and violent crime in Memphis to the greatest possible extent through the promotion and facilitation of hypervigilant policing, aggressive prosecution, complex investigations, financial enforcement, and large-scale saturation of besieged neighborhoods with law enforcement personnel, while coordinating closely with state and local officials.

(i) As part of the Tennessee safe initiative, the bureau may enter into agreements with other bureaus, agencies, departments, or task forces charged with the enforcement of criminal law within this state or of other states or of the United States for the exchange or temporary assignment of agents for special assignments and performance of specific duties. The director may assign agents of the bureau to duty assignments for law enforcement operations under subsections (g) and (h) and request and accept agents from other bureaus, agencies, departments, or task forces for duty assignments for law enforcement operations under subsections (g) and (h).

(j) Subsections (g)-(j) are terminated on July 1, 2029.

SECTION 2. For purposes of making appointments, this act takes effect upon becoming law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2026, the public welfare requiring it.

Amendment No. 2 to SB2405

Watson
Signature of Sponsor

AMEND Senate Bill No. 2405

House Bill No. 2157*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 38-6-102, is amended by adding the following as new subsections:

(g)

(1) There is established a Tennessee safe initiative task force, which is administratively attached to the Tennessee bureau of investigation. The task force shall determine when criminal activity in a particular jurisdiction is so prevalent as to endanger public safety and require additional law enforcement operations.

(2) The Tennessee safe initiative task force is comprised of eight (8) voting members, as follows:

(A) The director of the Tennessee bureau of investigation, who shall serve as chair of the task force;

(B) The commissioner of safety;

(C) One (1) district attorney general, to be appointed by the district attorneys general conference;

(D) One (1) sheriff, to be appointed by the Tennessee Sheriffs' Association;

(E) One (1) chief of police, to be appointed by the Tennessee Association of Chiefs of Police

(F) One (1) district attorney general, to be appointed jointly by the speaker of the house of representatives and the lieutenant governor;

(G) One (1) sheriff, to be appointed by the speaker of the house of representatives; and

(H) One (1) chief of police, to be appointed by the lieutenant governor.

(3)

(A) Task force members appointed under subdivisions (g)(2)(C)-(H) serve staggered terms as follows:

(i) The persons appointed under subdivisions (g)(2)(C) and (g)(2)(F) serve initial terms that terminate on June 30, 2028;

(ii) The persons appointed under subdivisions (g)(2)(D) and (g)(2)(G) serve initial terms that terminate on June 30, 2029; and

(iii) The persons appointed under subdivisions (g)(2)(E) and (g)(2)(H) serve initial terms that terminate on June 30, 2030.

(B) Following the expiration of members' initial terms as prescribed in subdivision (g)(3)(A), all appointments to the task force are for terms of three (3) years, beginning on July 1 and terminating on June 30 every three (3) years thereafter.

(C) Members appointed under subdivisions (g)(2)(C)-(H):

(i) Must be appointed by July 1, 2026;

(ii) Serve until the expiration of the terms to which they were appointed and until their successors are duly appointed and qualified; and

(iii) Are eligible for reappointment to the task force following the expiration of their terms.

(4) Vacancies are filled in the same manner that original appointments are made.

(5) The chair of the task force shall call the meetings. The task force must meet at least quarterly and, upon the request of at least three (3) members, may hold additional meetings. Members may attend meetings electronically. A meeting of the task force must not commence or continue in the absence of a quorum. A quorum is a majority of the members to which the task force is entitled. The members of the task force serve without compensation.

(6) At least one (1) week prior to a task force meeting, a member of the task force, including the chair, may notify the members that the member intends to initiate a motion to request that the Tennessee bureau of investigation provide additional law enforcement operations from the Tennessee safe initiative within a specific jurisdiction, pursuant to subdivision (g)(9) at the meeting. The task force shall notify the district attorney general and chief officer of any law enforcement agency within the jurisdiction of the motion. At the task force meeting, the district attorney general and chief officer of any law enforcement agency within the jurisdiction may address the task force and provide evidence as to whether additional law enforcement operations are appropriate. If a majority of the members of the task force who are entitled to vote request law enforcement operations pursuant to this subdivision (g)(6), then the director of the Tennessee bureau of investigation shall provide the requested law enforcement operations from the Tennessee safe initiative.

(7)

(A) Notwithstanding any provision of title 8, chapter 44, part 1 to the contrary, the task force may enter into executive session upon a majority vote of the members present. The task force is not required to provide public notice of an executive session.

(B) Executive session may be held solely for the purpose of considering matters that are confidential and law enforcement sensitive, including, but not limited to:

(i) Specific intelligence information, investigative reports, or analytical findings related to criminal activity;

(ii) Deployment strategies, operational plans, or tactical decisions regarding the assignment of task force personnel;

(iii) Information that would identify confidential informants, cooperating witnesses, or undercover officers;

(iv) Ongoing or prospective criminal investigations where public disclosure would reasonably be expected to compromise the investigation or endanger individuals; and

(v) Information otherwise protected from disclosure under state or federal law.

(C) The task force shall not take a final action, vote, or official decision while in executive session. Any action resulting from discussions held in executive session must occur in an open meeting.

(D) The task force shall maintain confidential minutes or records of executive sessions, which are confidential and not subject to public disclosure except upon order of a court of competent jurisdiction.

(E) A task force member, staff, or other individual present during an executive session shall maintain the confidentiality of all matters discussed therein, and unauthorized disclosure is grounds for removal and may be subject to applicable criminal penalties under state law.

(F) The task force may consult with law enforcement agencies, prosecutors, or intelligence analysts during executive session as necessary to carry out its duties under this subsection (g).

(8) A sheriff, chief of police, or district attorney general may submit to the task force a written request that the Tennessee bureau of investigation provide additional law enforcement operations from the Tennessee safe initiative within the official's specific jurisdiction, pursuant to subdivision (g)(9). The task force shall notify the sheriff, chief of police, and district attorney general within the district who did not submit the request, if any, of the request. The task force is not required to vote on a request submitted under this subdivision (g)(8). The director of the Tennessee bureau of investigation may provide the requested law enforcement operations from the Tennessee safe initiative.

(9) In addition to the authority established in subsections (a) and (b), Tennessee safe initiative investigators of the Tennessee bureau of investigation are authorized to make investigations as requested by the task force in connection with any matters pertaining to:

(A) Commission of an offense prohibited by title 39, chapter 13; or

(B) Criminal gang activities. As used in this subdivision (g)(9)(B), "criminal gang activities" means criminal gang offenses committed by a criminal gang member, as defined in § 40-35-121, and other unlawful activities of members of a criminal gang.

(10) Tennessee safe initiative investigators are not prohibited from investigating criminal activity not specifically listed in subdivision (g)(9) if the criminal activity is discovered in furtherance of an investigation authorized under subdivision (g)(9). Additionally, other law enforcement agencies are not prohibited from investigating crimes listed in subdivision (g)(9).

(11) Prior to initiating Tennessee safe initiative operations pursuant to this subsection (g), the director of the Tennessee bureau of investigation shall notify the district attorney general and the chief officer of any law enforcement

agency within the jurisdiction of the operations and the date on which the operations will commence.

(12) At any meeting of the task force that occurs while a law enforcement operation authorized by this subsection (g) is ongoing:

(A) The director shall present to the task force information on the number of arrests and criminal charges resulting from Tennessee safe initiative operations; and

(B) The district attorney general for the judicial district in which a law enforcement operation authorized by this subsection (g) is ongoing shall submit to the task force information on the disposition of any criminal charges that were filed as a result of Tennessee safe initiative operations.

(h)

(1) In addition to the authority established in subsections (a), (b), and (g), upon the effective date of this act, Tennessee safe initiative investigators of the Tennessee bureau of investigation are authorized, without a request from a sheriff, chief of police, district attorney general, or task force, to make investigations in any judicial district in which the Memphis safe task force is in effect in connection with any matters pertaining to:

(A) Commission of an offense prohibited by title 39, chapter 13; or

(B) Criminal gang activities.

(2) Tennessee safe initiative investigators are not prohibited from investigating criminal activity not specifically listed in subdivision (h)(1) if the criminal activity is discovered in furtherance of an investigation authorized under subdivision (h)(1). Additionally, other law enforcement agencies are not prohibited from investigating crimes listed in subdivision (h)(1).

(3) The authority established by this subsection (h) continues until the majority of the members to which the Tennessee safe initiative task force is

entitled vote to rescind the authority, regardless of whether the Memphis safe task force has concluded operations. The director of the Tennessee bureau of investigation shall provide law enforcement operations pursuant to this subsection (h) until a majority of the members vote to rescind the authority.

(4) Prior to initiating Tennessee safe initiative operations pursuant to this subsection (h), the director of the Tennessee bureau of investigation shall notify the district attorney general and the chief officer of any law enforcement agency within the jurisdiction of the operations and the date on which the operations will commence.

(5) At any meeting of the task force that occurs while a law enforcement operation authorized by this subsection (h) is ongoing:

(A) The director shall present to the task force information on the number of arrests and criminal charges resulting from Tennessee safe initiative operations; and

(B) The district attorney general for the judicial district in which a law enforcement operation authorized by this subsection (h) is ongoing shall submit to the task force information on the disposition of any criminal charges that were filed as a result of Tennessee safe initiative operations.

(6) As used in this subsection (h):

(A) "Criminal gang activities" means criminal gang offenses committed by a criminal gang member, as defined in § 40-35-121, and other unlawful activities of members of a criminal gang; and

(B) "Memphis safe task force" means a federal task force operating with the objective of ending street and violent crime in Memphis to the greatest possible extent through the promotion and facilitation of hypervigilant policing, aggressive prosecution, complex investigations, financial enforcement, and large-scale saturation of besieged

neighborhoods with law enforcement personnel, while coordinating closely with state and local officials.

(i) Subsections (g)-(i) are terminated on July 1, 2029.

(j) The bureau may enter into agreements with other bureaus, agencies, departments, or task forces charged with the enforcement of criminal law within this state or of other states or of the United States for the exchange or temporary assignment of agents for special assignments and performance of specific duties. The director may assign agents of the bureau to duty assignments for law enforcement operations under this section and request and accept agents from other bureaus, agencies, departments, or task forces for duty assignments for law enforcement operations under this section.

SECTION 2. It is the intent of the general assembly that any agents hired by the Tennessee bureau of investigation to carry out the Tennessee safe initiative shall continue to be employed by the Tennessee bureau of investigation and carry out the Tennessee safe initiative following the termination of subsections (g)-(i) in SECTION 1.

SECTION 3. For purposes of making appointments, this act takes effect upon becoming law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2026, the public welfare requiring it.