



SENATE BILL 2088

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 38; Title 40; Title 53; Title 63 and Title 68, relative to psychotropic drugs.

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

SECTION 1. Tennessee Code Annotated, Section 38-7-109(c)(1)(A), is amended by deleting "that resulted in the deaths of four (4) or more individuals".

SECTION 2. Tennessee Code Annotated, Section 38-7-109(c)(5), is amended by adding the following language as a new, appropriately designated subdivision:

() "Mass shooting" means:

(i) A shooting resulting in four (4) or more individuals sustaining an injury;

or

(ii) A shooting in which a reasonable person would conclude that the decedent attempted to kill four (4) or more individuals;

SECTION 3. Tennessee Code Annotated, Title 40, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Health science center" has the same meaning as defined in § 38-7-109;

(2) "Hospital" has the same meaning as defined in § 68-11-201;

(3) "Mass shooting" means:

(A) A shooting resulting in four (4) or more individuals sustaining an injury; or

(B) A shooting in which a reasonable person would conclude that a person attempted to kill four (4) or more individuals;

(4) "Psychotropic drug" has the same meaning as defined in § 38-7-109;

and

(5) "Qualified practitioner" means:

(A) A physician;

(B) A registered nurse;

(C) A licensed practical nurse;

(D) A clinical laboratory technician;

(E) A technologist;

(F) A trained phlebotomist who is operating under a hospital protocol, has completed phlebotomy training through an educational entity providing such training, or has been properly trained by a current or former employer to draw blood; or

(G) A physician assistant.

(b) A law enforcement officer who has probable cause to believe that a person has committed a mass shooting shall cause to be administered by a qualified practitioner at a hospital a blood or urine test for the purpose of determining the presence of any drugs, including therapeutic levels of psychotropic drugs.

(c)

(1) A qualified practitioner shall:

(A) Procure the blood or urine sample from a person as soon as practicable as long as the person's life is not in jeopardy; and

(B) Test the person's blood or urine for the presence of any drugs, including therapeutic levels of psychotropic drugs.

(2) A qualified practitioner must be considered to be acting in good faith once presented with a search warrant or any other court order authorizing the procurement of a blood or urine sample and such sample is drawn as soon as practicable.

(3) A qualified practitioner may use all reasonable force to obtain the blood or urine sample from the person.

(4) A qualified practitioner or hospital shall not incur civil or criminal liability as a result of procuring a blood or urine sample pursuant to this section, except in a case of negligence.

(d)

(1) The hospital where the blood or urine sample was procured and tested shall send to the health science center:

(A) The procured blood or urine sample, as described in subdivision (c)(1)(A); and

(B) The results of the drug test, as described in subdivision (c)(1)(B).

(2) The hospital shall not disclose any identifying information, including the person's name or social security number.

(e)

(1) The health science center shall study the drug interactions between the psychotropic drugs and any other drugs that were present in the person's blood or urine.

(2) The health science center shall include any data collected pursuant to this section to the quarterly reports submitted to the chief clerks of each house of the general assembly in accordance with § 38-7-109.

SECTION 4. This act takes effect July 1, 2026, the public welfare requiring it, and applies to mass shootings occurring on or after that date.

Amendment No. 1 to SB2088

Gardenhire
Signature of Sponsor

AMEND Senate Bill No. 2088*

House Bill No. 2013

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 38-7-109(c)(1)(A), is amended by deleting "that resulted in the deaths of four (4) or more individuals".

SECTION 2. Tennessee Code Annotated, Section 38-7-109(c)(5), is amended by adding the following language as a new, appropriately designated subdivision:

() "Mass shooting" means:

(i) A shooting resulting in four (4) or more individuals sustaining an injury;

or

(ii) A shooting in which a reasonable person would conclude that the decedent attempted to kill four (4) or more individuals;

SECTION 3. Tennessee Code Annotated, Title 40, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Health science center" has the same meaning as defined in § 38-7-109;

(2) "Hospital" has the same meaning as defined in § 68-11-201;

(3) "Mass shooting" means:

(A) A shooting resulting in four (4) or more individuals sustaining an injury; or

(B) A shooting in which a reasonable person would conclude that a person attempted to kill four (4) or more individuals;

(4) "Psychotropic drug" has the same meaning as defined in § 38-7-109;

and

(5) "Qualified practitioner" means:

(A) A physician;

(B) A registered nurse;

(C) A licensed practical nurse;

(D) A clinical laboratory technician;

(E) A technologist;

(F) A trained phlebotomist who is operating under a hospital protocol, has completed phlebotomy training through an educational entity providing such training, or has been properly trained by a current or former employer to draw blood; or

(G) A physician assistant.

(b)

(1) A law enforcement officer who has probable cause to believe that a person has committed a mass shooting may ask if the person consents to a blood or urine test for the purpose of:

(A) Determining the presence of any drugs, including therapeutic levels of psychotropic drugs; and

(B) Studying the interactions between any psychotropic drugs and other drugs that are present in the person's blood or urine, as described in subsection (e).

(2) If the person, as described in subdivision (b)(1), consents to a blood or urine test, then the law enforcement officer must cause to be administered the blood or urine test by a qualified practitioner at a hospital.

(3) If the person, as described in subdivision (b)(1), is a minor, then only the parent or legal guardian may consent to the blood or urine test for the minor.

(c)

(1) A qualified practitioner shall:

(A) Procure the blood or urine sample from a person as soon as practicable as long as the person's life is not in jeopardy; and

(B) Test the person's blood or urine for the presence of any drugs, including therapeutic levels of psychotropic drugs.

(2) A qualified practitioner must be considered to be acting in good faith once the person, as described in subdivision (b)(1), acknowledges that such person consents to the procurement of the blood or urine sample.

(3) A qualified practitioner or hospital shall not incur civil or criminal liability as a result of procuring a blood or urine sample pursuant to this section, except in a case of negligence.

(d)

(1) The hospital where the blood or urine sample was procured and tested shall send to the health science center the results of the drug test, as described in subdivision (c)(1)(B).

(2) The hospital shall not disclose any identifying information, including the person's name or social security number.

(e)

(1) The health science center shall study the drug interactions between the psychotropic drugs and any other drugs that were present in the person's blood or urine using available drug interaction software.

(2) The health science center shall include any data collected pursuant to this section to the quarterly reports submitted to the chief clerks of each house of the general assembly in accordance with § 38-7-109.

SECTION 4. This act takes effect July 1, 2026, the public welfare requiring it, and applies to mass shootings occurring on or after that date.