



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 1121**

### **SENATE BILL NO. 2514**

**By Yarbro, Gilmore, Campbell**

Substituted for: House Bill No. 2283

By Beck, Thompson, Ramsey, Freeman, Hardaway, Powell, Camper, Gloria Johnson, Jernigan

AN ACT to amend Tennessee Code Annotated, Title 29; Title 57 and Title 62, Chapter 35, relative to security guards/officers.

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

SECTION 1. This act is known and may be cited as "Dallas's Law."

SECTION 2. Tennessee Code Annotated, Section 62-35-103(b), is amended by deleting the subsection.

SECTION 3. Tennessee Code Annotated, Section 62-35-118(a)(2), is amended by deleting the subdivision and substituting:

(2)(A) An unarmed security guard/officer applicant or an armed security guard/officer applicant shall complete at least four (4) hours of general training administered by a certified trainer and pass an examination, covering, at a minimum, the following subjects:

- (i) Orientation: one (1) hour;
- (ii) Legal powers and limitations of a security guard/officer: one (1) hour;
- (iii) Emergency procedures: one (1) hour; and
- (iv) General duties: one (1) hour.

(B) Within fifteen (15) days of employment, an unarmed security guard/officer, or an armed security guard/officer, who is employed by a proprietary security organization that holds a license or permit for on-premises consumption from the alcoholic beverage commission or a beer board, or is employed by a contract security company for the purposes of performing security guard and patrol services at a commercial establishment that holds a license or permit for on-premises consumption from the alcoholic beverage commission or a beer board, shall:

- (i) Complete training in de-escalation techniques and proper and safe restraint techniques; and
- (ii) Complete a first aid and cardiopulmonary resuscitation (CPR) training course.

SECTION 4. Tennessee Code Annotated, Section 62-35-122, is amended by adding the following as new subsections:

(e) An unarmed security guard/officer shall as a prerequisite for renewal of the person's registration card complete two (2) hours of refresher training administered by a certified trainer in the subjects listed in § 62-35-118(a)(2)(A).

(f) An unarmed security guard/officer, or an armed security guard/officer, who is employed by a proprietary security organization that holds a license or permit for on-premises consumption from the alcoholic beverage commission or a beer board, or is employed by a contract security company for the purposes of performing security guard and patrol services at a commercial establishment that holds a license or permit for on-premises consumption from the alcoholic beverage commission or a beer board, shall complete refresher training on the subjects listed in § 62-35-118(a)(2)(B)(i) and (ii) as a prerequisite for renewal of the person's registration card.

SECTION 5. Tennessee Code Annotated, Section 62-35-123, is amended by deleting the section and substituting:

(a) It is unlawful for a person to act as a proprietary security organization without first having notified the commissioner in writing. Except as provided in subsection (d), the notice must include:

- (1) The full name and business address of the proprietary security organization;
- (2) The full name and the business and residence addresses of the qualifying manager; and
- (3) Other information that the commissioner may reasonably require.

(b) An unarmed security guard/officer employed by a proprietary security organization shall not carry a weapon of any kind.

(c) Notwithstanding subsection (a), a hospital that employs only unarmed security guards/officers may voluntarily elect to submit to the requirements for a proprietary security organization under this chapter and evidence the election by filing with the commissioner the notice required in subsection (a). The hospital may revoke the notice at any time upon appropriate notice of revocation to the commissioner.

(d) A proprietary security organization that has a license or permit for on-premises consumption from the alcoholic beverage commission or a beer board shall:

- (1) Include with the initial notice to the commissioner in subsection (a):
  - (A) Documentation of insurance coverage compliant with § 62-35-114;
  - (B) One (1) set of classifiable electronic fingerprints of the qualifying manager; and
  - (C) A registration fee of one hundred dollars (\$100);

(2) Submit a biennial fee of one hundred dollars (\$100) to the commissioner to maintain the organization's status as a proprietary security organization; and

(3) Provide the commissioner with the full name, the business and residence addresses, and one (1) set of classifiable electronic fingerprints of the new qualifying manager within fifteen (15) days of a change in the qualifying manager if a proprietary security organization's qualifying manager changes. A proprietary security organization in violation of this subdivision (d)(3) is subject to a civil penalty pursuant to § 56-1-308.

(e) Upon receipt of a notice to act as a proprietary security organization from a person that has a license or permit for on-premises consumption from the alcoholic beverage commission or a beer board, the commissioner shall:

- (1) Conduct an investigation to determine whether the statements made in the initial notice are true;
- (2) Compare or request that the Tennessee bureau of investigation compare the fingerprints submitted with the notice to fingerprints filed with the bureau; and
- (3) Submit the fingerprints to the federal bureau of investigation for a search of its files to determine whether the individual fingerprinted has recorded convictions.

SECTION 6. Tennessee Code Annotated, Section 62-35-134(a), is amended by deleting the subsection and substituting:

(a)(1) It is unlawful for a person to knowingly employ as a security guard/officer an individual who does not hold a valid registration card of the appropriate type, except as provided in § 62-35-119(b).

(2) A violation of this subsection (a) is a Class A misdemeanor, punishable by fine only.

(3) The alcoholic beverage commission or a beer board shall suspend a license or permit for on-premises consumption, as applicable and in accordance with title 57, of a person for a violation of this subsection (a) for a period of one (1) month per violation. However, this subsection (a) does not limit the alcoholic beverage commission's or a beer board's ability to seek to revoke or summarily suspend the license or permit.

SECTION 7. This act takes effect January 1, 2023, the public welfare requiring it, and applies to conduct occurring on or after that date.

SENATE BILL NO. 2514

PASSED: April 27, 2022

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 1<sup>st</sup> day of June 2022

  
BILL LEE, GOVERNOR