

PUBLIC CHAPTER NO. 1112

HOUSE BILL NO. 670

By Representatives Dennis, Rich, Evans, Watson, Carr, Bell, Haynes, McCormick, Coley, Casada, Shipley, Fincher, Campfield, Hensley, Hill, Coleman, Hawk, Eldridge, Swafford, Lynn, Harry Brooks, Faulkner, Matlock, Halford, Maggart, Kevin Brooks and Mr. Speaker Williams

Substituted for: Senate Bill No. 1141

By Senators Gresham, Beavers, Tracy, Southerland, Watson, Crowe, Johnson, Ketron, Black and Mr. Speaker Ramsey

AN ACT to amend Tennessee Code Annotated, Title 40, relative to certain arrested persons.

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

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

§ 40-7-123.

(a) The Tennessee peace officer standards and training commission shall develop a standardized written procedure for verifying the citizenship status of individuals who are arrested, booked, or confined for any period in a county or municipal jail or detention facility and reporting to the appropriate Immigration and Customs Enforcement Detention and Removal Operations field office those individuals who may be in violation of the Immigration and Naturalization Act, as compiled in 8 U.S.C §1101 et seq.

(b) When a person is arrested, booked or confined for any period in the jail of the county or any municipality, the keeper of the jail shall utilize the above-referenced procedure to verify the citizenship status of each arrested, booked, or otherwise confined individual and report those individuals to the appropriate Immigration and Customs Enforcement Detention and Removal Operations field office if the keeper of the jail determines that the individual is in violation of the Immigration and Naturalization Act, as compiled in 8 U.S.C §1101 et seq., or if such status cannot be determined.

(c) The provisions of this section shall not apply to any county or municipality that has entered into and is operating under a memorandum of understanding with the United States department of homeland security concerning enforcement of federal immigration laws.

(d) The provisions of this section shall not apply to any county or municipality while it participates in the U.S. Immigration and Customs Enforcement Criminal Alien Program (CAP).

SECTION 2. This act shall take effect on January 1, 2011, the public welfare requiring it.

PASSED: June 9, 2010



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 28th day of June 2010



PHIL BREDESEN, GOVERNOR