

SENATE BILL 1384

By Watson

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 39 and Title 62, Chapter 35, relative to private
protective services.

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

SECTION 1. Tennessee Code Annotated, Section 62-35-102, is amended by adding the following new subdivision:

() "Enhanced armed guard" means an armed security guard/officer who has successfully completed enhanced armed guard training as described in § 62-35-144(c) and applied for and received an enhanced armed guard certification from the commissioner as described in § 62-35-144(b);

SECTION 2. Tennessee Code Annotated, Section 62-35-125, is amended by designating the existing language as subsection (a) and adding the following as subsection (b):

(b)

(1) An enhanced armed guard may carry a rifle-caliber weapon only if certified to carry such firearm. An enhanced armed guard may carry only the type of rifle-caliber weapon that the commissioner prescribes by rule when in the performance of the guard's duties.

(2) An enhanced armed guard may only deploy a rifle-caliber weapon, whether in an offensive or defensive posture, when a legitimate threat necessitating such deployment is perceived to exist or be imminent. During such time as a threat necessitating deployment of a rifle-caliber weapon is not perceived to exist or be imminent, the rifle-caliber weapon must be securely stored in such manner as the commissioner may prescribe by rule.

SECTION 3. Tennessee Code Annotated, Title 62, Chapter 35, Part 1, is amended by adding the following as a new section:

62-35-144.

(a) To be eligible for certification as an enhanced armed guard, an applicant must:

(1) Hold a current registration card issued by the commissioner to act as an armed security guard/officer in this state, and be in good standing;

(2)

(A) Have a minimum of five (5) years of experience as a full-time law enforcement officer and be either:

(i) Retired, or at the time of prospective certification will be retired, from the employing law enforcement agency in good standing; or

(ii) Separated, or at the time of prospective certification will be separated, from the employing law enforcement agency in good standing; or

(B) Have a minimum of four (4) years of experience as a full-time member of the armed forces of the United States while in a combat arms military occupational specialty and be either:

(i) Retired, or at the time of prospective certification will be retired, from the armed forces having received an honorable discharge; or

(ii) Separated, or at the time of prospective certification will be separated, from the armed forces having received an honorable discharge;

(3) Submit to and pass, to the commissioner's satisfaction:

(A) A criminal background check; and

(B) A psychological evaluation as described in § 38-8-106(9); and

(4) Successfully complete, to the commissioner's satisfaction:

(A) A written examination; and

(B) An in-person enhanced armed guard training course

approved by the commissioner.

(b) The commissioner may request from an applicant such information as the commissioner deems necessary to constitute proof of an applicant's eligibility pursuant to subsection (a). Upon receipt of a completed application and finding after investigation that the applicant armed security guard/officer meets all eligibility requirements for enhanced armed guard certification, the commissioner shall issue a certification to the applicant upon the appropriate payment of fees as established by the commissioner.

(c)

(1) The enhanced armed guard training course developed or approved by the commissioner must be offered no less than quarterly, be at least sixteen (16) hours in length, and in addition to legal, weapon handling, marksmanship, and tactics training, must also include:

(A) Scenario-based training on when a rifle-caliber weapon may be deployed in an offensive or defensive posture; and

(B) Training on the secure storage of a rifle-caliber weapon when the weapon is not deployed.

(2) The commissioner may contract with a third party to administer the training required by this section.

(3) The commissioner may apply as full or partial credit toward the enhanced armed guard training required by this section, a rifle-caliber weapon training course that an applicant completed while in the armed forces or employed as a law enforcement officer, as long as the commissioner finds that such training is equivalent or superior to that which is required by this section.

(d) An enhanced armed guard certification expires one (1) year from the date of issuance. To renew the certification, an enhanced armed guard must submit to an annual criminal background check, to be conducted by the commissioner. The commissioner may set a reasonable fee to cover the cost to conduct the annual background check.

SECTION 4. The commissioner is authorized to promulgate rules to effectuate this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 5. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2025, the public welfare requiring it.