

SENATE BILL 1760

By Briggs

AN ACT to amend Tennessee Code Annotated, Title 58,
Chapter 1, relative to liability protections.

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

SECTION 1. Tennessee Code Annotated, Section 58-1-227, is amended by adding the following as a new subsection (c):

(1) A member of the national guard who exercises self-defense, as permitted in § 39-11-611, or who exercises defense of others, as permitted in § 39-11-612, including by discharge of a personally owned firearm used in accordance with § 39-17-1351, shall be immune from civil liability.

(2) A member of the national guard who exercises self-defense, as permitted in § 39-11-611, or who exercises defense of others, as permitted in § 39-11-612, including by discharge of a personally owned firearm used in accordance with § 39-17-1351, shall receive counsel designated as provided by title 8, chapter 42, to represent and defend such guard member upon commencement of any action in any court by any person arising from use of such force if:

(A) The member at the time of use of force is on duty or in uniform;

(B) The use of force includes discharge of a personally owned firearm used in accordance with § 39-17-1351; and

(C) The member is authorized by the military department to carry a personally owned handgun while on-duty or in uniform.

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