

CHAPTER NO. 533

SENATE BILL NO. 2797

By Burchett, Atchley, Crowe, Ramsey, Burks

Substituted for: House Bill No. 2753

By Vaughn, Buttry, Hagood, Cooper, Cochran, Harry Brooks, Mumpower, Davis, Godsey, Bittle, Vincent

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7, Part 1, relative to certain deaths or injuries occurring on the property of institutions of higher education and to enact the "Robert 'Robbie' Nottingham Campus Crime Scene Investigation Act of 2004".

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

Section 49-7-129. (a) This act shall be known and may be cited as the "Robert 'Robbie' Nottingham Campus Crime Scene Investigation Act of 2004".

(b) Regardless of whether a public or private institution of higher education has entered into a mutual assistance agreement with a law enforcement agency pursuant to § 49-7-118, the chief security officer or chief law enforcement officer of such institution shall immediately notify, unless otherwise provided by federal law, the local law enforcement agency with territorial jurisdiction over the institution if the medically unattended death of a person occurs on the property of such institution or if such officer or any other official of the institution is in receipt of a report alleging that any degree of rape has occurred on the property of such institution. The chief security officer or chief law enforcement officer shall designate one (1) or more persons who shall have the authority and duty to notify the appropriate law enforcement agency in the absence of the chief security officer or chief law enforcement officer.

(c) Upon notification pursuant to subsection (b), it shall be the duty of each law enforcement agency to participate in a joint investigation of the death or alleged rape. In the case of a medically unattended death, the local law enforcement agency shall lead the investigation. In the case of an alleged rape, the institution's law enforcement agency shall lead the investigation.

(d) After notifying the local law enforcement agency pursuant to subsection (b), the security officers or law enforcement officers and all other employees of such institution shall cooperate in every respect with the investigation conducted by the law enforcement agency.

(e) As used in this section, "local law enforcement agency" means:

(1) Within the territory of a municipality, the municipal police force;

(2) Within the territory of a county having a metropolitan form of government, the metropolitan police force; and

(3) Within the unincorporated territory of a county, the sheriff's office.

(f) A knowing violation of this section is a Class C misdemeanor.

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

PASSED: April 5, 2004


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 15th day of April 2004


PHIL BREDESEN, GOVERNOR