

SENATE BILL 1298

By Bailey

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 8 and Title 68, relative to rescue squads.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 140, is amended by adding
SECTIONS 2 through 7 as a new part:

SECTION 2. **Short title.**

This part is known and may be cited as the "Rescue Squad Recognition Act."

SECTION 3. **Definitions.**

As used in this part, unless the context otherwise requires, "rescue squad":

(1) Means a department of a municipality, county, or political subdivision,
or an organization, agency, or entity, that offers its services, for or without pay,
for the purpose of performing rescue services, or for other emergency response
purposes; and

(2) Does not include law enforcement agencies or emergency medical
agencies licensed by the Tennessee emergency medical services board.

SECTION 4. **State fire marshal's standards and qualifications.**

A municipality, county, or political subdivision shall not operate a rescue squad,
and an organization, agency, or entity shall not operate as a rescue squad within this
state, unless the rescue squad has been duly authorized to perform rescue services
pursuant to this part by the state fire marshal's office. The state fire marshal, in
consultation with the Tennessee Association of Rescue Squads (TARS) and other
interested industry groups, shall promulgate rules pursuant to the Uniform Administrative

Procedures Act, compiled in title 4, chapter 5, relative to the standards and qualifications for becoming and remaining a rescue squad.

**SECTION 5. Application for operation of rescue squad— Classification —
Certificate of recognition — Recognition renewal.**

To obtain recognition from the state fire marshal's office, a municipality, county, or political subdivision desiring to operate a rescue squad, or an organization, agency, or entity desiring to operate as a rescue squad, shall file an application with the state fire marshal's office, and file a renewal application to continue so operating, in accordance with the following:

(1) The application must be made on a form prescribed by the state fire marshal and must be accompanied by a processing fee not to exceed fifty dollars (\$50.00). The state fire marshal may require that the form be signed and notarized by the highest ranking official of the rescue squad;

(2) Upon being granted recognized status as a rescue squad, the state fire marshal shall issue a certificate of recognition to the rescue squad. The certificate is valid for a period of three (3) years from the date of issuance; and

(3) Approximately six (6) months prior to the expiration of the three-year certificate, the state fire marshal's office shall notify each rescue squad by certified mail of the expiration of the certificate. A rescue squad whose certificate is expiring shall complete a recognition renewal form prescribed by the state fire marshal and submit a renewal fee not to exceed fifty dollars (\$50.00).

SECTION 6. Approval of local elected governing body — Certificate of recognition requirement.

(a) A new rescue squad must not be established or recognized within this state without the approval of the governing body of the local government in whose jurisdiction

the rescue squad will operate. This approval must include the geographical territory to be covered by the new rescue squad.

(b) A governmental unit, person, organization, agency, or entity shall not:

(1) Represent themselves to be or have a rescue squad without a valid certificate of recognition issued by the state fire marshal in accordance with this part; or

(2) Receive or solicit money from any source, including a local government, a state, or the federal government for the purpose of operating a rescue squad unless the governmental unit, person, organization, agency, or entity holds a valid certificate of recognition issued by the state fire marshal in accordance with this part.

SECTION 7. Penalty for violations.

A person who violates this part is guilty of a Class C misdemeanor punishable by a fine only.

SECTION 8. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 9. For purposes of promulgating rules and carrying out administrative duties necessary to effectuate this act, this act takes effect upon becoming a law, the public welfare requiring it. This act takes effect on July 1, 2023, for all other purposes, the public welfare requiring it.