

CHAPTER NO. 873

HOUSE BILL NO. 2700

By Representatives Cochran, Gresham, Wood, Lynn, Black, Baird

Substituted for: Senate Bill No. 2307

By Senator Crowe

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 140, Part 5, relative to emergency services personnel.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 140, Part 5, is amended by adding a new section thereto, as follows:

Section 68-140-525.

(a) As a condition for employment of any licensed EMT and EMT-P, or such certificates and authorizations as shall be issued for other EMS personnel, employers shall be allowed to initiate a criminal background check on any person applying for employment, or any employee that is currently employed by such employer, and such criminal background investigation shall be at the expense of the employer.

(b) Applicants shall:

(1) Provide past work history and personal references to be checked by the employer;

(2) Agree to the release of only such information and investigative records to the employer, or to any agency that contracts with the state of Tennessee, necessary for the purpose of verifying whether the individual has been convicted of a felony in the state of Tennessee;

(3) Supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee bureau of investigation, the federal bureau of investigation, other law enforcement agency, or any legally authorized entity; and

(4) Release any information required for a criminal background investigation by a professional background screening organization or criminal background check service or registry.

(c) Any cost incurred by the Tennessee bureau of investigation, federal bureau of investigation, professional background screening organization, law enforcement agency or other legally authorized entity, in conducting such investigations of such applicants shall be paid by such applicants. In the event that such applicants fail to pay for these incurred expenses the responsibility for payment will fall to the employer originally requesting such criminal background checks. Payments of such cost to the

Tennessee bureau of investigation are to be made in accordance with the provisions of Sections 38-6-103 and 38-6-109.

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

PASSED: May 19, 2004


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 7th day of June 2004


PHIL BREDESEN, GOVERNOR