

PUBLIC CHAPTER NO. 322**HOUSE BILL NO. 1776****By Representative Ulysses Jones****Substituted for: Senate Bill No. 1286****By Senators Burchett, Marrero, Williams**

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10; Title 3, Chapter 6 and Title 8, Chapter 17, relative to governmental ethics.

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

SECTION 1. Tennessee Code Annotated, Section 3-6-306(a)(3), is amended by designating the current language as subdivision (A) and by adding the following language as a new subdivision (B):

(B) Notwithstanding the provisions of subdivision (a)(3)(A), no civil penalty shall be imposed by the ethics commission on any staff person or employee of the general assembly or any employee of any executive department or agency or other state body in the executive branch for a violation of this part. The ethics commission shall instead refer its findings and recommendations for appropriate action to the speakers of the senate and the house of representatives if such person is a staff person or employee of the general assembly and to the appropriate executive official with supervisory authority over such person if the person is an employee of any executive department or agency or other state body in the executive branch. As used in this subdivision (a)(3)(B), the terms "staff person" and "employee" shall not be construed to include any person holding any office or position enumerated within the provisions of § 8-50-501(a).

SECTION 2. Tennessee Code Annotated, Section 8-17-106(b), is amended by adding the following language at the end of the subsection:

; provided, that no civil penalties for a violation of title 3, chapter 6, part 3, shall be imposed by the ethics commission on an employee of entities covered by this chapter. The ethics commission shall instead refer its findings and recommendations for appropriate action to the appropriate official with supervisory authority over such person.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 14, 2007



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 31st day of May 2007



PHIL BREDESEN, GOVERNOR