



**STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF REGULATORY BOARDS
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**2014 Home Inspectors, Locksmiths, Race Track Licensing, and Private Protective Services
Legislative Update**

The Tennessee General Assembly has recently made changes to statutes which may impact you as a holder of a license with the Division of Regulatory Boards. This new change set out in the following Public Chapter specifically amends the Tennessee Code Annotated as follows:

[Public Chapter No. 815](#), amends Title 40, Chapter 29, relative to restoration of citizenship. This Act allows certain persons beginning on January 1, 2015, who have had their rights of citizenship restored to petition the court for a certificate of employability. If a person obtains such a certificate, an agency may not deny the issuance, restoration or renewal of an occupational license solely on the person's past record of criminal activity but, instead, must consider each such applicant on a case-by-case basis. The certificate of employability preempts any existing rule that authorizes or requires the denial or refusal to issue, restore or renew a license based on the person's past record of criminal history; however, any agency may promulgate new rules which allow or require such a denial or refusal to issue, restore or renew a license notwithstanding the certificate based on the time elapsed since the criminal offense or the nature of the offense having a direct bearing on the fitness or ability to perform any duty or responsibility necessarily related to the sought license. Further, employers that hire individuals holding a certificate of employability may be provided with defenses to certain civil actions based on such hiring. This law became effective on April 28, 2014. A copy of the new law is available for review on the website of the Tennessee General Assembly here: <http://state.tn.us/sos/acts/108/pub/pc0815.pdf>.

If you have any questions or concerns about this new law, please contact us by email at atreg.boards@tn.gov.