



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 121**

**SENATE BILL NO. 1048**

**By Yarbro**

Substituted for: House Bill No. 671

By Beck

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 4, relative to advertising by chiropractors.

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

SECTION 1. Tennessee Code Annotated, Section 63-4-114(5), is amended by deleting the existing subdivision (5) and substituting the following:

(5)(A) In person solicitation, telemarketing, or telephonic solicitation by licensees, employees of licensees, agents of licensees, or independent contractors of licensees to victims of an accident or disaster, unless it is a victim with whom a licensee has a family or prior professional relationship, shall be considered unethical if carried out within thirty (30) days of the accident or disaster;

(B) Telemarketing transcripts shall be maintained for a period of two (2) years following their utilization;

(C) A log of contacts shall be maintained for a period of two (2) years following a telemarketing encounter; and

(D) This subdivision (5) shall not prohibit solicitation by targeted direct mail advertising or other forms of written, radio, or television advertising; provided, that the advertising does not involve coercion, duress, or harassment and is not false, deceptive, or misleading;

SECTION 2. Tennessee Code Annotated, Section 63-4-116, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection (b):

(b) The board is also authorized and empowered to petition any circuit or chancery court having jurisdiction to enjoin any person who is violating § 63-4-114(5). No injunction bond shall be required of the board in such proceedings, and jurisdiction is conferred upon the circuit and chancery courts of this state to hear such cases.

SECTION 3. This act shall take effect July 1, 2015, the public welfare requiring it.

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PASSED: March 30, 2015



RON RAMSEY  
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 10<sup>th</sup> day of April 2015



BILL HASLAM, GOVERNOR