

SENATE BILL 364

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 48; Title 61; Title 62
and Title 67, relative to government actions.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 1, Part 4, is amended by adding the following as a new section:

(a) A governmental entity shall not take a discriminatory action against a business entity based upon the policies of the business entity regarding the following, if the policies are in compliance with state and federal statutes, rules, and regulations:

- (1) Health insurance policies and the coverage provided thereunder;
- (2) Family leave policies;
- (3) Minimum wage policies; or
- (4) Antidiscrimination policies.

(b) As used in this section:

(1) "Business entity" means a sole proprietorship, corporation, limited liability company, limited liability partnership, or other legal entity, association, or body vested with the power or function of a legal entity;

(2) "Discriminatory action" means any action taken by a governmental entity to:

(A) Alter in any way the tax treatment of, or cause any tax, penalty, or payment to be assessed against a business entity;

(B) Deny, delay, or revoke a business entity's exemption from taxation;

(C) Withhold, reduce, exclude, terminate, deny, or otherwise make unavailable to a business entity any grant, contract, subcontract, cooperative agreement, bond issue, license, certification, or other similar opportunity, position, or status; or

(D) Withhold, reduce, exclude, terminate, deny, or otherwise make unavailable to a business entity access or an entitlement to property, facilities, speech forums, including traditional, limited, and nonpublic forums, or charitable fundraising campaigns; and

(3) "Governmental entity" means any branch, department, agency, commission, or instrumentality of this state and any official or other person acting under color of state law.

SECTION 2. Tennessee Code Annotated, Title 7, Chapter 51, is amended by adding the following as a new part:

(a) A local governmental entity shall not take a discriminatory action against a business entity based upon the policies of the business entity regarding the following, if the policies are in compliance with state and federal statutes, rules, and regulations:

- (1) Health insurance policies and the coverage provided thereunder;
- (2) Family leave policies;
- (3) Minimum wage policies; or
- (4) Antidiscrimination policies.

(b) As used in this section:

(1) "Business entity" means a sole proprietorship, corporation, limited liability company, limited liability partnership, or other legal entity, association, or body vested with the power or function of a legal entity;

(2) "Discriminatory action" means any action taken by a local governmental entity to:

(A) Alter in any way the tax treatment of, or cause any tax, penalty, or payment to be assessed against a business entity;

(B) Deny, delay, or revoke a business entity's exemption from taxation;

(C) Withhold, reduce, exclude, terminate, deny, or otherwise make unavailable to a business entity any grant, contract, subcontract, cooperative agreement, bond issue, license, certification, or other similar opportunity, position, or status; or

(D) Withhold, reduce, exclude, terminate, deny, or otherwise make unavailable to a business entity access or an entitlement to property, facilities, speech forums, including traditional, limited, and nonpublic forums, or charitable fundraising campaigns; and

(3) "Local governmental entity" means any city, town, municipality, county, including any county having a metropolitan form of government, local education agency, development district, utility district, human resource agency, or other political subdivision of this state.

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