

SENATE BILL 461

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 9; Title 12; Title 50 and Title 67, relative to  
call centers.

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

SECTION 1. Tennessee Code Annotated, Title 50, is amended by adding Sections 2 through 5 as a new chapter.

SECTION 2. This chapter shall be known and may be cited as the "Save Tennessee Call Center Jobs Act of 2019."

SECTION 3. As used in this chapter:

(1) "Commissioner" means the commissioner of labor and workforce development;

(2) "Employer" means any business enterprise that employs, for the purpose of customer service or back-office operations:

(A) Fifty (50) or more employees, excluding part-time employees; or

(B) Fifty (50) or more employees who, in the aggregate, work at least one

thousand five hundred (1,500) hours per week, exclusive of hours of overtime;

and

(3) "Part-time employee" means an employee who is employed for an average of fewer than twenty (20) hours per week or who has been employed for fewer than six (6) of the twelve (12) months preceding the date on which notice is required by Section 4(a)(1).

SECTION 4.

(a)

(1) An employer that intends to relocate a call center, or one (1) or more facilities or operating units within a call center, comprising at least thirty percent (30%) of the call center's, or operating unit's, total volume when measured against the previous twelve-month average call volume of operations or substantially similar operations, from this state to a foreign country must notify the commissioner at least one hundred twenty (120) days before such relocation.

(2) An employer that violates subdivision (a)(1) is subject to a civil penalty not to exceed an amount of ten thousand dollars (\$10,000) for each day of such violation, except that the commissioner may reduce such amount for good cause shown.

(b)

(1) The commissioner shall compile a semiannual list of all employers that relocate a call center, or one (1) or more facilities or operating units within a call center, comprising at least thirty percent (30%) of the call center's, or operating unit's, total volume of operations, from this state to a foreign country.

(2) The commissioner shall distribute the list required in subdivision (b)(1) to all agencies under the jurisdiction of the department of labor and workforce development.

## SECTION 5.

(a) Except as provided in subsection (b), and notwithstanding any other law, an employer that appears on the list described in Section 4(b)(1) is ineligible for any direct or indirect state grants, state-guaranteed loans, or tax credit or refund for five (5) years after the date the list is published.

(b) Except as provided in subsection (c), and notwithstanding any other law, an employer that appears on the list described in Section 4(b)(1) must remit the unamortized value of any grant, guaranteed loans, tax benefits, or any other governmental support it has previously received to the commissioner.

(c) The commissioner, in consultation with the appropriate agency providing a loan or grant, may waive the ineligibility requirement provided under subsection (a) if the employer applying for such loan or grant demonstrates that a lack of such loan or grant would:

- (1) Result in substantial job loss in this state; or
- (2) Harm the environment.

SECTION 6. This act shall take effect January 1, 2020, the public welfare requiring it.